

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION MDL No. 2804  
OPIATE LITIGATION

Case No.  
17-md-2804

Judge Dan Aaron  
Polster

This document relates to:  
The County of Summit, Ohio, et al. v. Purdue  
Pharma L.P., et al.

Case No. 18-OP-45090 (N.D. Ohio)

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Videotaped Deposition of

JEFFREY STURMI

November 15, 2018  
9:09 a.m.

Taken at:

Hilton Garden Inn  
1307 East Market Street  
Akron, Ohio

Stephen J. DeBacco, RPR

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 On behalf of the City of Akron, Summit County, and the Witness:</p> <p>4 Motley Rice LLC, by JODI WESTBROOK FLOWERS, ESQ. TOPE O. LEYIMU, ESQ. TAMMY RIVERS, ESQ. 28 Bridgeside Boulevard Mt. Pleasant, South Carolina 29464 (843) 216-9163 jflowers@motleyrice.com (843) 216-9107 tleyimu@motleyrice.com</p> <p>10 On behalf of McKesson Corporation:</p> <p>11 Covington &amp; Burling LLP, by LAURA FLAHIVE WU, ESQ. STEPHEN F. RAIOLA, ESQ. One CityCenter 850 Tenth Street, Northwest Washington, D.C. 20001-4956 (202) 662-5982 lflahivewu@cov.com (202) 662-5786 sraiola@cov.com</p> <p>17 On behalf of Walmart, Inc.:</p> <p>18 Jones Day, by KRISTIN S.M. MORRISON, ESQ. North Point 901 Lakeside Avenue Cleveland, Ohio 44114-1190 (216) 586-7375 kmorrison@jonesday.com</p> <p>22 ~ ~ ~ ~</p> <p>23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 APPEARANCES, Continued:</p> <p>2</p> <p>3 On behalf of Cephalon, Inc.; Teva Pharmaceuticals USA, Inc.; Actavis, LLC; 4 Actavis Pharma, Inc. F/k/a Watson Pharma, Inc.; and Watson Laboratories, Inc., via teleconference:</p> <p>5 Morgan, Lewis &amp; Bockius LLP, by 6 JANE E. DUDZINSKI, ESQ. 7 77 West Wacker Drive Chicago, Illinois 60601 (312) 324-1125 jane.dudzinski@morganlewis.com</p> <p>9 ~ ~ ~ ~</p> <p>11 ALSO PRESENT:</p> <p>12 Will Hawkins, Williams &amp; Connolly Shaun Crum, Legal Videographer</p> <p>13 ~ ~ ~ ~</p> <p>14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES, Continued:</p> <p>2</p> <p>3 On behalf of CVS Rx Services, Inc., and CVS Indiana, LLC:</p> <p>4 Zuckerman Spaeder LLP, by STEVEN N. HERMAN, ESQ. 1800 M Street Northwest, Suite 1000 Washington, D.C. 20036-5807 (202) 778-1883 sherman@zuckerman.com</p> <p>7 On behalf of Endo Health Solutions, Inc., and Endo Pharmaceuticals, Inc.:</p> <p>8 Baker Hostetler, by CAROLE S. RENDON, ESQ. Key Tower 127 Public Square, Suite 2000 Cleveland, Ohio 44114-1214 (216) 861-7420 crendon@bakerlaw.com</p> <p>13 On behalf of AmerisourceBergen, via Veritext Virtual:</p> <p>14</p> <p>15 Reed Smith, LLP, by NICHOLAS R. RODRIGUEZ, ESQ. Three Logan Square 1717 Arch Street, Suite 3100 Philadelphia, Pennsylvania 19103 (215) 241 7947 nrodriguez@reedsmith.com</p> <p>19 ~ ~ ~ ~</p> <p>20 21 22 23 24 25</p>	<p style="text-align: right;">Page 5</p> <p>1 TRANSCRIPT INDEX</p> <p>2</p> <p>3 APPEARANCES..... 2</p> <p>4</p> <p>5 INDEX OF EXHIBITS ..... 6</p> <p>6</p> <p>7 EXAMINATION OF JEFFREY STURMI</p> <p>8 By Ms. Wu..... 16</p> <p>9 By Mr. Raiola..... 257</p> <p>10 By Ms. Rendon..... 261</p> <p>11 By Mr. Herman..... 323</p> <p>12</p> <p>13 REPORTER'S CERTIFICATE..... 341</p> <p>14</p> <p>15 EXHIBIT CUSTODY</p> <p>16 EXHIBITS RETAINED BY THE COURT REPORTER</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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<p style="text-align: right;">Page 15</p> <p>1 THE VIDEOGRAPHER: The date is  2 November 15, 2018. We're on the record at  3 a.m.  4 This is the deposition of Jeffrey  5 Sturmi in the matter of In Re: National  6 Prescription Opiate Litigation, in the United  7 States District Court, Northern District of  8 Ohio, Eastern Division.  9 Will counsel please state  10 appearances for the record.  11 MS. LEYIMU: This is Tope Leyimu  12 with Motley Rice. I'm on behalf of the  13 witness, City of Akron, and County of Summit.  14 MS. FLOWERS: This is Jodi Flowers  15 on behalf of the County of Summit and the City  16 of Akron, and the witness.  17 MS. RIVERS: Tammy Rivers, Summit  18 County, and the City of Akron.  19 MS. MORRISON: Kristin Morrison,  20 Jones Day, on behalf of Walmart.  21 MR. HAWKINS: Will Hawkins from  22 Williams &amp; Connolly on behalf of Cardinal  23 Health.  24 MR. HERMAN: Steve Herman from  25 Zuckerman Spaeder on behalf of CVS Indiana LLC</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. Good morning, Mr. Sturmi.  2 A. Good morning.  3 Q. I'm Laura Wu, as you heard, and  4 I'll be taking your deposition today.  5 Could you state your current  6 employment?  7 A. Yes. I work for the Akron  8 Municipal Court with the City of Akron.  9 Q. And what is your current title?  10 A. My current title is the deputy  11 chief probation officer.  12 Q. For the record, could you please  13 state your address?  14 A. Yes. My add- -- my home address is  15 3195 Marquette Street Northwest. That's in  16 Uniontown, Ohio 44685.  17 Q. Thank you. Mr. Sturmi, have you  18 ever been deposed before?  19 A. I have not.  20 Q. Have you ever testified in court or  21 another proceeding?  22 A. I have.  23 Q. How many times have you testified  24 in court?  25 A. Hundreds.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q. What are -- at a high level, what's 2 the nature of the testimony that you've given 3 in court? 4 A. I manage the Akron Municipal Drug 5 Court Program, so there's a weekly session that 6 we operate, and so often we're on the record 7 testifying to a variety of information. 8 Q. Would you consider yourself 9 providing factual testimony in the weekly 10 status hearings you just described? 11 A. Yes. 12 Q. Does your testimony ever relate to 13 the use of opioid drugs? 14 A. Yes. 15 Q. What is the nature of your 16 testimony relating to opioid drugs at these 17 weekly sessions? 18 A. It depends on the situation. 19 Depends on the client that we're discussing. 20 So it's a lot of variables involved in that. 21 Q. Is your testimony limited to fact 22 testimony given in your capacity as a probation 23 officer? 24 A. Not sure what you mean by that 25 question.</p>	<p style="text-align: right;">Page 20</p> <p>1 same. That will give us a nice, clear record. 2 Understood? 3 A. Understood. 4 Q. During the day today, you can take 5 a break when you need one. The only exception 6 to that is that if there's a question pending, 7 I'll ask for you to answer. 8 And there's one more exception, if 9 you have a question about privilege and you 10 need to consult with your attorney, you can do 11 that at any time. 12 Is there any reason that you can't 13 give truthful testimony today? 14 A. No. 15 Q. Mr. Sturm, what did you do to 16 prepare for your deposition today? 17 A. I met with counsel on a couple of 18 occasions. I also reviewed the complaint. 19 Q. On how many occasions did you meet 20 with counsel? 21 A. Approximately three. 22 Q. When was the first time you met 23 with counsel in preparation? 24 A. Approximately five weeks ago. 25 Q. For -- with whom did you meet?</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. Certainly. Let me rephrase. 2 In what capacity do you provide 3 testimony at the weekly status hearings? 4 A. As the manager, you know, of that 5 program. So, you know, I work for the judge, 6 and so often he is asking a variety of 7 questions related to the clients that we serve. 8 Q. Do you typically testify at every 9 weekly status hearing? 10 A. There is all kinds of discussion 11 that's taking place during the drug court 12 session, so I don't know whether you would 13 classify that as testimony. But it is in a 14 courtroom and it's on the record. 15 Q. Understood. 16 Now, you said that you've never sat 17 for a deposition before, so I'd like to go over 18 some ground rules before we move further into 19 our day. 20 I'm going to be asking you 21 questions, and you'll be giving answers. As 22 you know, you're under oath. The court 23 reporter is here to record our conversation 24 today, so I ask that you try to wait before I 25 finish a question to answer, and I'll do the</p>	<p style="text-align: right;">Page 21</p> <p>1 A. With the counsel that's present 2 here. With Motley Rice. 3 Q. Was anyone else present at that 4 meeting? 5 A. There was other counsel that was 6 present that's not present here. I don't 7 remember that person's name. 8 Q. Was there -- were there any 9 non-lawyers who were involved in that meeting? 10 A. No. All were counsel. 11 Q. For how long did you meet with 12 counsel? 13 A. Ranged, you know, roughly from two 14 hours to no longer than, you know, four. 15 Q. When was your second meeting with 16 counsel in preparation for this deposition? 17 A. Approximately a couple weeks ago. 18 Q. Who was involved in that second 19 session? 20 A. The same counsel that's present 21 here today. 22 Q. Was there anyone else involved in 23 that meeting? 24 A. I don't recall that. 25 Q. How about the third prep session?</p>

<p style="text-align: right;">Page 22</p> <p>1 When was that?</p> <p>2 A. Third prep session was yesterday.</p> <p>3 Q. Who was involved in that meeting?</p> <p>4 A. The same three counsel that are</p> <p>5 present here today.</p> <p>6 Q. Was anyone else involved in that</p> <p>7 meeting?</p> <p>8 A. No.</p> <p>9 Q. How long did you meet?</p> <p>10 A. Oh, approximately two hours.</p> <p>11 Q. You mentioned that you reviewed the</p> <p>12 complaint. Did you review any other documents</p> <p>13 in preparation for this deposition?</p> <p>14 A. Yes.</p> <p>15 Q. What documents?</p> <p>16 A. Documents that counsel showed to</p> <p>17 me.</p> <p>18 Q. Do you -- did any of those</p> <p>19 documents refresh your recollection?</p> <p>20 MS. FLOWERS: Objection --</p> <p>21 MS. LEYIMU: Object to form.</p> <p>22 MS. FLOWERS: -- as to -- to the</p> <p>23 extent this calls for attorney-client privilege</p> <p>24 or anything that we discussed during the</p> <p>25 deposition.</p>	<p style="text-align: right;">Page 24</p> <p>1 prior to your prep for today?</p> <p>2 MS. LEYIMU: Object to the form of</p> <p>3 the question.</p> <p>4 A. No.</p> <p>5 Q. Were you involved in the -- strike</p> <p>6 that.</p> <p>7 Did you provide any facts to</p> <p>8 counsel in connection with drafting of the</p> <p>9 complaint?</p> <p>10 A. I did not.</p> <p>11 Q. Were you involved in Akron's</p> <p>12 decision to bring this lawsuit?</p> <p>13 A. No.</p> <p>14 Q. Were you involved in the selection</p> <p>15 of outside counsel for this lawsuit?</p> <p>16 A. I was not.</p> <p>17 Q. When did you first become aware of</p> <p>18 this lawsuit?</p> <p>19 A. I was advised several months ago by</p> <p>20 my supervisor that there was a meeting being</p> <p>21 conducted in the Akron probation department to</p> <p>22 discuss the pending opioid litigation as it</p> <p>23 related to the City of Akron.</p> <p>24 Q. Who's the supervisor that you just</p> <p>25 referenced?</p>
<p style="text-align: right;">Page 23</p> <p>1 I just need you to be real careful</p> <p>2 about answering that, okay? So answer her</p> <p>3 question, but I'm going to caution you not to</p> <p>4 disclose the contents of what we discussed.</p> <p>5 A. Could you repeat the question?</p> <p>6 Q. Did any of the documents you</p> <p>7 reviewed refresh your recollection?</p> <p>8 A. No.</p> <p>9 MS. LEYIMU: Object to the form.</p> <p>10 Q. Did you do anything else in</p> <p>11 addition to the meetings you've identified in</p> <p>12 your review of documents to prepare for this</p> <p>13 deposition?</p> <p>14 A. No.</p> <p>15 Q. Did you talk with anyone other than</p> <p>16 attorneys to help you prepare for this</p> <p>17 deposition?</p> <p>18 MS. LEYIMU: Object to the form.</p> <p>19 A. I did not. I did not.</p> <p>20 Q. Did you do any independent reading?</p> <p>21 MS. LEYIMU: Object to the form.</p> <p>22 A. No.</p> <p>23 Q. Mr. Sturmi, you mentioned your</p> <p>24 review of the complaint in preparation for this</p> <p>25 deposition. Had you reviewed the complaint</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Chief Probation Officer Tony</p> <p>2 Ingram.</p> <p>3 Q. And when did Mr. Ingram advise you</p> <p>4 of the meeting you referenced?</p> <p>5 A. My recollection it was the day</p> <p>6 prior of the meeting.</p> <p>7 Q. About when did that meeting occur?</p> <p>8 A. Several months ago.</p> <p>9 Q. Did you attend the meeting</p> <p>10 concerning the litigation?</p> <p>11 A. I did at his request.</p> <p>12 Q. What was the subject of the</p> <p>13 meeting?</p> <p>14 MS. FLOWERS: Objection. I'm going</p> <p>15 to have to counsel the witness again to be</p> <p>16 careful about disclosing any attorney-client</p> <p>17 impressions or work product that you may have</p> <p>18 gained during that meeting.</p> <p>19 You can answer the question.</p> <p>20 A. It was a very general, you know,</p> <p>21 meeting to advise of the litigation. It was a</p> <p>22 very general, you know, meeting. There was</p> <p>23 counsel present. City of Akron counsel, you</p> <p>24 know, was present. Like I said, my boss was</p> <p>25 present. Judge Oldham, who is our drug court</p>

7 (Pages 22 - 25)



<p style="text-align: right;">Page 26</p> <p>1 judge, was present. But it was a very general 2 meeting. 3 Q. When you said -- referenced your 4 boss, do you mean Mr. Ingram? 5 A. Correct. 6 Q. You also referenced Judge Oldham? 7 Is that Judge Jon Oldham? 8 A. That's correct. 9 Q. Who else participated in this 10 meeting? 11 A. There was three, I believe, counsel 12 from the Akron law department. There was, I 13 believe, one counsel from Motley Rice. 14 Obviously, myself, Mr. Ingram, Judge Oldham, 15 and I believe the last person that I recall 16 being there was Akron Chief City Prosecutor 17 Gert Wilms. 18 Q. Did you receive any written 19 materials during this meeting? 20 A. I don't recall that. 21 Q. Have you participated in any other 22 meetings about this litigation? 23 A. No. 24 MS. LEYIMU: Object to the form. 25 THE WITNESS: I'm sorry.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. Have you obtained any professional 2 licenses? 3 A. I have. 4 Q. Could you describe those? 5 A. Yes. The Ohio Credentialing Board 6 has a licensure process for substance abuse, 7 and so I went through that process and earned 8 the current licensure of LCDC III, which is an 9 acronym that stands for licensed chemical 10 dependency counselor. 11 Q. When did you obtain that license? 12 A. I first obtained that license in 13 1998. It was an LCDC I, and then there's a 14 process to go up from there. 15 Q. What type of training, if any, did 16 you undertake in order to obtain that license? 17 A. There's a requirement for training 18 workshop hours. There is a requirement of both 19 a written and oral presentation to the Ohio 20 Credentialing Board. 21 Q. What was the subject matter of the 22 presentation you made to the Ohio Credentialing 23 Board? 24 A. It was an oral presentation as far 25 as a client that you were serving, and you had</p>
<p style="text-align: right;">Page 27</p> <p>1 Q. Were you involved in providing 2 information in connection with Akron's 3 interrogatory responses in this litigation? 4 MS. LEYIMU: Object to the form. 5 You can answer. 6 A. No. 7 Q. Mr. Sturmi, I'm going to go through 8 a little bit more background now. 9 Where are you from originally? 10 A. I was born and raised in Cuyahoga 11 Falls, Ohio. 12 Q. Could you please describe the 13 highest level of education you've attained? 14 A. A bachelor of science degree from 15 the University of Akron. 16 Q. What was the subject matter of your 17 studies? 18 A. Political science, criminal 19 justice. 20 Q. When did you graduate from 21 University of Akron? 22 A. 1994. 23 Q. In addition to your BS, have you 24 received any other advanced degrees? 25 A. Not advanced degrees, no.</p>	<p style="text-align: right;">Page 29</p> <p>1 to demonstrate the various domains in chemical 2 dependency and, you know, how to assist that 3 client. 4 Q. You mentioned a requirement of 5 workshop hours to obtain your certification. 6 With whom did you work to obtain those hours? 7 A. Well, through, you know, my current 8 employment, there's a variety of training and 9 workshops that are available to me, so I 10 selected those on subject matters that had 11 interest, you know, for me. 12 Q. Was there any formal educational 13 component involved in obtaining that license? 14 MS. LEYIMU: Object to the form of 15 the question. 16 A. I'm not sure what you mean by that 17 question. Do you mean having a degree? 18 Q. Did you have to take any classes, 19 for example? 20 A. No, not specific classes. 21 Q. You mentioned that there are 22 additional levels to the certification you 23 have. When did you receive -- did you receive 24 higher levels? 25 A. I did.</p>



<p style="text-align: right;">Page 30</p> <p>1 Q. What was the next highest level you 2 achieved?</p> <p>3 A. So it just goes up, you know, that 4 ladder. You know, LCDC I to LCDC II to LCDC 5 III.</p> <p>6 Q. When did you achieve the -- the 7 second license category?</p> <p>8 A. I don't recall. I don't recall 9 that date.</p> <p>10 Q. What was involved in achieving that 11 second license status?</p> <p>12 A. You know, I -- I -- trying to think 13 of the difference between, you know, I, II, and 14 III. My recollection is that you had to take a 15 multiple choice written test. I believe that 16 was for I.</p> <p>17 I don't recall the distinction 18 between earning II.</p> <p>19 I know that the oral case plan 20 presentation was a requirement for III. That 21 was my recollection.</p> <p>22 Q. What do the different levels of 23 licensure allow you to do?</p> <p>24 A. They don't allow me to do anything 25 other than assist me in my current job duties</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. Sure. So at a high level, you were 2 being tested on your knowledge of individuals 3 that use substances in a problematic way; is 4 that right?</p> <p>5 A. I don't know the answer to that 6 question.</p> <p>7 Q. What knowledge did you have to 8 display in order to obtain your license?</p> <p>9 A. Well, I had to pass, you know, the 10 written test and complete the oral test.</p> <p>11 Q. And what were the general subject 12 matters on which you were tested?</p> <p>13 A. General information as it relates 14 to substance abuse, and further, the treatment 15 of a client that may be suffering from a 16 substance abuse disorder.</p> <p>17 Q. Earlier you mentioned domains of 18 chemical dependency; is that right?</p> <p>19 A. Yes, I recall that.</p> <p>20 Q. What are domains of chemical 21 dependency?</p> <p>22 A. You know, my recollection was 23 essentially you start with an assessment of the 24 individual, and then it moves on to there, as 25 far as a diagnosis of that, a potential</p>
<p style="text-align: right;">Page 31</p> <p>1 and understand substance abuse addiction a 2 little better.</p> <p>3 Q. You mentioned a multiple choice 4 test that you took in connection with license 5 level I. What was the subject matter of that 6 test?</p> <p>7 A. Again, my recollection was it was 8 general substance abuse questions. Just a 9 variety of questions to demonstrate your 10 knowledge, you know, on substance abuse.</p> <p>11 Q. When you reference substance abuse, 12 are you referencing any broader literature or 13 study?</p> <p>14 MS. LEYIMU: Object to the form.</p> <p>15 A. I don't understand that question.</p> <p>16 Q. When you say "substance abuse," 17 what are you referring to?</p> <p>18 A. An individual that uses substances 19 that becomes problematic.</p> <p>20 Q. So at a high level, you were being 21 tested on your knowledge of individuals that 22 use substances in a problematic way; is that 23 right?</p> <p>24 MS. LEYIMU: Object to the form.</p> <p>25 A. Could you repeat the question?</p>	<p style="text-align: right;">Page 33</p> <p>1 referral, what type of referral would be 2 generated, what type of counseling would be 3 recommended, after-care and post treatment.</p> <p>4 Q. What are the domains of chemical 5 dependency? Is there a list?</p> <p>6 MS. LEYIMU: Object to the form.</p> <p>7 A. I don't specifically remember, you 8 know, those domains.</p> <p>9 Q. How did you learn about the domains 10 of chemical dependency?</p> <p>11 A. Like -- just like in college, you 12 know, opening a book and studying for an exam.</p> <p>13 Q. What types of books or other 14 material did you study in order to prepare for 15 your license exams?</p> <p>16 A. My recollection is they had study 17 guides that were available. You could either 18 purchase them, get them on hard copy or an 19 online.</p> <p>20 Q. Were those study guides provided by 21 the board of certification?</p> <p>22 A. They were made available by the 23 Ohio Credentialing Board, yes.</p> <p>24 Q. Who runs the Ohio Credentialing 25 Board?</p>

<p style="text-align: right;">Page 34</p> <p>1 A. I have no knowledge of who runs 2 that board. 3 Q. Do you know who issues the chemical 4 dependency license? 5 MS. LEYIMU: Object to the form. 6 A. Well, you know, the -- their name 7 is -- is the State of Ohio Credentialing Board, 8 so I would think that, you know, whoever makes 9 up that board and has that ability to do so. 10 Q. Do you have to undertake any 11 ongoing training to maintain your license? 12 A. I do. 13 Q. What -- what's the nature of that 14 training? 15 A. My recollection of the requirement 16 of maintaining an LCDC III licensure is a 17 minimum of 40 substance abuse training hours 18 every two years. 19 Q. When did you obtain the LCDC III 20 licensure? 21 A. I don't recall that specific date. 22 It's been several years. 23 Q. More than five years? 24 A. More than five years. Yeah. I -- 25 Q. More than --</p>	<p style="text-align: right;">Page 36</p> <p>1 Credentialing Board, fill out an application 2 and identify the dates, the training, and the 3 hours that I earned to make sure, obviously, 4 I've made it up to the magic 40. 5 Q. Do you typically receive written 6 handouts at these trainings? 7 A. Less so now with technology. So a 8 lot of training workshops that I attend now are 9 going green, so they're not providing, you 10 know, written, you know, copies of PowerPoints 11 and things of that nature. So more and more 12 are electronic. 13 Q. What's the last training that you 14 attended? 15 A. The last training that I attended, 16 my recollection, was it was the Ohio State 17 University Institute of Addiction Studies. 18 Q. When was that training? 19 A. That was in July of 2018. 20 Q. What was the subject matter of that 21 training? 22 A. Well, it was a -- as its title 23 indicates, you know, Institute of Addiction 24 Studies, so there was a variety of tracks and 25 workshops to choose from that I could attend.</p>
<p style="text-align: right;">Page 35</p> <p>1 A. I obtained the LCDC I in 1998, so, 2 you know, probably sometime after 2000. 3 Q. Where did you obtain training hours 4 to maintain your license? 5 A. Again, a variety of workshops that 6 are a part of, you know, my job. We're often 7 given or provided with workshops and training 8 to assist both myself and our staff in our 9 everyday duties. 10 Q. Who provides the workshops? 11 A. Any number, you know, of 12 individuals, you know, run those training 13 workshops. The Ohio Supreme Court. We attend 14 quite a bit of training that is run by the Ohio 15 Supreme Court. 16 Q. Do these trainings have to be 17 certified by the Ohio Credentialing Board? 18 MS. LEYIMU: Object to the form. 19 A. I don't know if they do or don't. 20 Q. How do you track the trainings that 21 you've undertaken to maintain your license? 22 A. I keep the copies of the 23 certificates in a file. And when it gets 24 closer to my licensure, you know, being due, 25 I'm given notification of that by the Ohio</p>	<p style="text-align: right;">Page 37</p> <p>1 But the focus of that particular conference was 2 addiction studies. 3 Q. What do you mean by "addiction 4 studies"? 5 A. Substance abuse addiction. 6 Q. Did that training include the study 7 of opioid addiction? 8 A. Yes. There were several sessions 9 that -- that that was part of -- part of the 10 training, yes. 11 Q. Did you attend those aspects of the 12 training? 13 A. Yes. I recall, you know, attending 14 a -- a few different workshops, but certainly 15 the subject matter, you know, opiates was -- 16 was part of that. 17 MS. LEYIMU: Can we go off the 18 record for a second? 19 THE VIDEOGRAPHER: Going off the 20 record at 9:36 a.m. 21 (Off-the-record discussion.) 22 THE VIDEOGRAPHER: Back on the 23 record at 9:37 a.m. 24 Q. Mr. Sturm, you were describing a 25 workshop that you attended in 2018 about</p>

<p style="text-align: right;">Page 38</p> <p>1 substance abuse, correct?</p> <p>2 A. Correct.</p> <p>3 Q. You were also describing workshops</p> <p>4 that you attended concerning opiates. Are</p> <p>5 opiates the same as opioids?</p> <p>6 MS. LEYIMU: Object to the form.</p> <p>7 A. I believe they are.</p> <p>8 Q. Just to make sure that I'm using a</p> <p>9 common vocabulary as we march forward today,</p> <p>10 what is your understanding of an opioid?</p> <p>11 A. My understanding of an opioid is</p> <p>12 that it is a -- primarily a pain narcotic</p> <p>13 medication that is provided for pain relief.</p> <p>14 Q. To your knowledge, are there</p> <p>15 prescription opioids?</p> <p>16 A. Yes.</p> <p>17 Q. Could you name some that -- with</p> <p>18 which you are familiar?</p> <p>19 A. Sure. OxyContin, Vicodin,</p> <p>20 Percocet, Darvocet, morphine.</p> <p>21 Q. How about non-prescription opioids?</p> <p>22 Are you familiar with any drugs that fall into</p> <p>23 the opioid family that are non-prescription?</p> <p>24 A. Yes.</p> <p>25 Q. Could you name any of those?</p>	<p style="text-align: right;">Page 40</p> <p>1 discussed during this training?</p> <p>2 A. Discussed the current</p> <p>3 medication-assisted treatment that was being</p> <p>4 utilized in the state of Ohio, and there was</p> <p>5 discussion about those treatment regimens and</p> <p>6 how, you know, the presenter, you know, opined</p> <p>7 those were going.</p> <p>8 Q. Did you attend any other workshops</p> <p>9 at this training related to opioids?</p> <p>10 A. I don't recall other specific</p> <p>11 opioid sessions. You know, it was several</p> <p>12 months ago, so.</p> <p>13 Q. How many other trainings in the</p> <p>14 last five years have you attended that relate</p> <p>15 to opioids?</p> <p>16 MS. LEYIMU: Object to the form.</p> <p>17 A. In the past five years?</p> <p>18 Q. Yes.</p> <p>19 A. Well, I'll attend, you know, at</p> <p>20 least, you know, two or three workshops a year.</p> <p>21 And those workshops, they'll certainly have</p> <p>22 addiction as part of the training regimen.</p> <p>23 Many of them have breakout sessions, you know,</p> <p>24 that speak to opiates or issues related to</p> <p>25 that.</p>
<p style="text-align: right;">Page 39</p> <p>1 A. Heroin, Fentanyl, carfentanil.</p> <p>2 Q. What is the basis for your</p> <p>3 knowledge about opioids?</p> <p>4 A. Well, obviously, in the course of</p> <p>5 my -- my job position and job duties, I have</p> <p>6 educated, you know, myself through a variety</p> <p>7 of, you know, manners, in -- in determining</p> <p>8 what opioids are and how that's becoming an</p> <p>9 issue for our court, and, in particular, the</p> <p>10 drug court that I help to manage.</p> <p>11 Q. So now that we have our terminology</p> <p>12 clarified, I want to go back to talking about</p> <p>13 the conference you attended on substance abuse.</p> <p>14 What was the nature of the opioid</p> <p>15 workshops that you attended?</p> <p>16 A. My recollection was, you know, one</p> <p>17 that I attended spoke to updates on</p> <p>18 medication-assisted treatment.</p> <p>19 Q. What do you mean by</p> <p>20 "medication-assisted treatment"?</p> <p>21 A. Clients that are dealing with an</p> <p>22 opiate addiction sometimes access</p> <p>23 medication-assisted treatment to assist them</p> <p>24 with their opioid addiction.</p> <p>25 Q. What type of treatment was</p>	<p style="text-align: right;">Page 41</p> <p>1 It's difficult for me to determine</p> <p>2 how many sessions I went to that were specific</p> <p>3 to opiates versus just general addiction-related</p> <p>4 trainings.</p> <p>5 Q. Do you have any particular</p> <p>6 education that relates to opioids?</p> <p>7 MS. LEYIMU: Object to the form of</p> <p>8 the question.</p> <p>9 A. I would say just the education that</p> <p>10 is provided to me through my licensure.</p> <p>11 Q. And that didn't require any higher</p> <p>12 education, correct?</p> <p>13 MS. LEYIMU: Object to the form.</p> <p>14 A. Did not require it, no.</p> <p>15 Q. Do you have any specialized</p> <p>16 training relating to drug diversion?</p> <p>17 A. No.</p> <p>18 Q. Do you have any specialized</p> <p>19 training relating to pharmacy?</p> <p>20 MS. LEYIMU: Object to the form.</p> <p>21 A. No.</p> <p>22 Q. Do you have any specialized</p> <p>23 training relating to medicine?</p> <p>24 MS. LEYIMU: Object to the form.</p> <p>25 A. Other than the trainings that speak</p>

<p style="text-align: right;">Page 42</p> <p>1 to medication-assisted treatment.</p> <p>2 Q. Who provide- -- who provided those</p> <p>3 trainings related to medication-assisted</p> <p>4 treatment?</p> <p>5 A. A variety of vendors.</p> <p>6 Q. Were they doctors?</p> <p>7 A. Often.</p> <p>8 Q. And did -- do you personally have</p> <p>9 any medical training?</p> <p>10 MS. LEYIMU: Object to the form of</p> <p>11 the question.</p> <p>12 A. Other than the training workshops</p> <p>13 that I've attended that that's been the subject</p> <p>14 matter.</p> <p>15 Q. Have you pursued any higher</p> <p>16 education related to medicine?</p> <p>17 A. I have not.</p> <p>18 Q. Have you pursued any higher</p> <p>19 education related to pharmacy?</p> <p>20 A. I have not.</p> <p>21 Q. Mr. Sturm, what was your first</p> <p>22 employment upon graduation from the University</p> <p>23 of Akron in 1994?</p> <p>24 A. At that time I was employed by the</p> <p>25 Portage County Juvenile Court.</p>	<p style="text-align: right;">Page 44</p> <p>1 variety of drugs.</p> <p>2 Q. What did that variety include?</p> <p>3 A. Alcohol, marijuana, cocaine,</p> <p>4 prescription medications.</p> <p>5 Q. When you reference prescription</p> <p>6 medications, did that include any prescriptions</p> <p>7 that fall into the class of opioids you</p> <p>8 referenced earlier?</p> <p>9 A. Yes.</p> <p>10 Q. How did you identify what drugs</p> <p>11 your clients used?</p> <p>12 A. Primarily through drug testing and</p> <p>13 interviews.</p> <p>14 Q. Did the court record the results of</p> <p>15 drug tests for your clients?</p> <p>16 A. I don't recall how they collected</p> <p>17 that data. I know that we kept probation files</p> <p>18 that had that information.</p> <p>19 Q. How about the interview</p> <p>20 information? Did you keep those records for</p> <p>21 the court?</p> <p>22 A. Yes. Those were, again, probation</p> <p>23 files: Interviews conducted with the</p> <p>24 juveniles, and part of that would be substance</p> <p>25 abuse-related questions, trying to determine if</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. What was the nature of your</p> <p>2 employment?</p> <p>3 A. At that time, I was an intensive</p> <p>4 probation officer.</p> <p>5 Q. What were your job duties as an</p> <p>6 intensive probation officer?</p> <p>7 A. My recollection was that I had a</p> <p>8 caseload with a maximum of 15 clients. These</p> <p>9 juveniles were charged with very serious felony</p> <p>10 offenses, and so it was -- it was an</p> <p>11 opportunity for those clients to remain in the</p> <p>12 community as opposed to being committed to the</p> <p>13 Ohio Department of Youth Services. And as part</p> <p>14 of that, it required intensive supervision,</p> <p>15 which meant a minimum of three contacts with</p> <p>16 that client per week.</p> <p>17 Q. Did any of those clients suffer</p> <p>18 from substance abuse?</p> <p>19 A. Yes.</p> <p>20 Q. Do you recall the categories of</p> <p>21 drugs that were used by your clients?</p> <p>22 A. In 19 --</p> <p>23 MS. LEYIMU: Object to the form.</p> <p>24 You can answer.</p> <p>25 A. My recollection was it was a</p>	<p style="text-align: right;">Page 45</p> <p>1 they were or were not suffering from any type</p> <p>2 of substance abuse disorder.</p> <p>3 Q. In your role as an intensive</p> <p>4 probation officer, did you have any reporting</p> <p>5 duties related to substance abuse?</p> <p>6 A. I don't recall having any specific</p> <p>7 duties related to that.</p> <p>8 Q. In your role as an intensive</p> <p>9 probation officer, did you provide any</p> <p>10 substance abuse programming?</p> <p>11 A. Not personally. We had a substance</p> <p>12 abuse counselor on staff, so we would routinely</p> <p>13 refer those clients to that unit.</p> <p>14 Q. When did you leave your job as an</p> <p>15 intensive probation officer?</p> <p>16 A. I received a job opportunity as an</p> <p>17 adult probation officer with the City of Akron</p> <p>18 in 1996.</p> <p>19 Q. What was the nature of your job as</p> <p>20 an adult probation officer for the City of</p> <p>21 Akron?</p> <p>22 A. Supervise misdemeanor offenders</p> <p>23 that were placed on probation supervision by</p> <p>24 one of the judges from our court.</p> <p>25 I would also conduct presentence</p>



<p style="text-align: right;">Page 46</p> <p>1 investigations as ordered and directed, you 2 know, by the court. 3 We also conducted -- we term them 4 as sealing-of-record investigations. Those are 5 the three primary job responsibilities. 6 Q. Did you have any job responsibil- -- 7 job responsibilities related to substance 8 abuse? 9 A. Not specific to substance abuse, 10 no. 11 Q. About how many clients did you have 12 at one time in your role as a probation 13 officer? 14 A. As an adult general supervision, 15 you know, probation officer, we would have 16 caseloads in the neighborhood of 50 to 100 per 17 PO. 18 Q. Did you have any responsibilities 19 for screening your clients for substance abuse? 20 A. Yes. I -- you know, by screening, 21 you know, that would be a part of any interview 22 process as we're trying to ascertain what the 23 issue is with the offender. So a part of that 24 interview were specific questions related to 25 their use of alcohol and/or drugs.</p>	<p style="text-align: right;">Page 48</p> <p>1 receive collateral information from friends or 2 family or community members that were reporting 3 what that, you know, client may be using; and 4 then we would also utilize drug testing as a 5 mechanism to determine whether that client was 6 being honest and what substance or substances 7 may be in their system. 8 Q. Was there any standardized 9 reporting mechanism for identifying the 10 substance or substances that your clients were 11 abusing? 12 MS. LEYIMU: Object to the form. 13 A. Other than the -- the drug testing 14 that would confirm what substances were in that 15 client's system, you know, that was the main 16 way that we would make that determination. 17 Q. Did you have any responsibilities 18 for data aggregation related to your client's 19 substance abuse? 20 MS. LEYIMU: Object to the form. 21 A. Other than recording, you know, 22 that information in the normal course of 23 business in that client's probation file. 24 Q. You mentioned multiple substances 25 used by clients. Was it common for your</p>
<p style="text-align: right;">Page 47</p> <p>1 Q. Did you have any responsibilities 2 for coordinating or implementing drug testing 3 for your clients? 4 A. We made referrals for drug testing. 5 We ordered individuals to submit to drug 6 testing as part of that job. 7 Q. Did you have any responsibilities 8 for reporting substance abuse? 9 A. Yes. If there were indicators that 10 an individual was suffering from a substance 11 abuse issue, then we would staff those cases. 12 Often -- 13 THE WITNESS: Sorry, sir. 14 THE REPORTER: Staff those what? 15 A. Staff those cases with other 16 probation officers or supervisors, and 17 depending upon the issue, would make an 18 appropriate referral. 19 Q. Did you have any responsibilities 20 for recording the type of substance abuse used 21 by your clients -- I'm sorry -- the type of 22 substance used by your clients? 23 A. Typically, we would indicate what 24 substance or substances the client was 25 reporting issues with; and then we would often</p>	<p style="text-align: right;">Page 49</p> <p>1 clients in probation to use more than one 2 chemical substance? 3 MS. LEYIMU: Object to the form. 4 A. It's difficult for me to answer. 5 There's lots of clients that I worked with over 6 the years that use multiple substances. 7 There's lots of clients that I have, you know, 8 worked with that utilize just one particular 9 drug of choice. 10 Q. Would there be any data source to 11 consult in order to identify the substances 12 used by your clients in probation? 13 MS. LEYIMU: Object to the form. 14 A. Again, we primarily use drug 15 testing as a mechanism to verify what is or is 16 not, you know, present in that offender's 17 system. 18 Q. When did you leave your job as an 19 adult probation officer in Akron? 20 A. Well, I didn't leave it. I was 21 promoted in 2003, so our, you know, chief 22 retired, you know, at that time, and so I was 23 promoted to the position of deputy chief in 24 1993. 25 Q. Just for clarity, were you promoted</p>

<p style="text-align: right;">Page 50</p> <p>1 in 2003 or 1993?</p> <p>2 A. Yeah. I was hired in '96, and was</p> <p>3 promoted in 2003, roughly seven years later.</p> <p>4 Q. Thank you.</p> <p>5 A. Uh-huh.</p> <p>6 Q. How did your responsibilities</p> <p>7 change when you were promoted in 2003?</p> <p>8 A. Well, obviously, I was a</p> <p>9 supervisor, you know, of the department. One</p> <p>10 of the main jobs that changed for me is I</p> <p>11 became the Akron Drug Court program manager.</p> <p>12 Q. How much of your time was devoted</p> <p>13 to the drug court?</p> <p>14 A. In the neighborhood of, you know,</p> <p>15 75 percent. 50 to 75 percent, in that</p> <p>16 ballpark.</p> <p>17 Q. And what was the nature of your</p> <p>18 other responsibilities that filled the other,</p> <p>19 about, 25 percent of your time?</p> <p>20 A. I would assist as needed with our</p> <p>21 general, you know, POs.</p> <p>22 I would work with any and all</p> <p>23 developmentally disabled clients that came to</p> <p>24 the attention of our court, so that became a</p> <p>25 subject of expertise to assist the court with</p>	<p style="text-align: right;">Page 52</p> <p>1 the Akron Drug Court to the Akron Recovery</p> <p>2 Court approximately two years ago.</p> <p>3 Helping our general POs, and</p> <p>4 assisting as requested by the chief probation</p> <p>5 officer.</p> <p>6 Q. Has there been any change in your</p> <p>7 title since 2003?</p> <p>8 A. No, that title has remained the</p> <p>9 same.</p> <p>10 Q. And who do you report to presently?</p> <p>11 A. I report to the chief probation</p> <p>12 officer.</p> <p>13 Q. And who is currently the chief</p> <p>14 probation officer?</p> <p>15 A. Tony Ingram.</p> <p>16 Q. What are your responsibilities for</p> <p>17 managing the recovery court?</p> <p>18 A. Well, I maintain, you know,</p> <p>19 probation files on those clients; attend a</p> <p>20 weekly drug court session; we staff, you know,</p> <p>21 cases every week in a telephone conference</p> <p>22 call; obviously, attend the drug court session;</p> <p>23 and assist as requested by the current</p> <p>24 presiding drug court judge.</p> <p>25 Q. Who is the current presiding drug</p>
<p style="text-align: right;">Page 51</p> <p>1 those often difficult clients.</p> <p>2 I also assisted with the referral</p> <p>3 process on competency evaluations for</p> <p>4 individuals that were ordered for competency.</p> <p>5 Q. You mentioned developmental- --</p> <p>6 developmentally disabled clients. Are those</p> <p>7 clients of the drug court?</p> <p>8 A. Not historically. Depending upon</p> <p>9 their level of disability, it would be very</p> <p>10 difficult, you know, for those clients to</p> <p>11 adhere to the intensive level of supervision</p> <p>12 and cognitive requirements. So to my</p> <p>13 recollection, we did not serve developmentally</p> <p>14 disabled clients, you know, in the drug court</p> <p>15 program.</p> <p>16 Q. Has there been any change in the</p> <p>17 nature of your role in probation since 2003?</p> <p>18 MS. LEYIMU: Object to the form.</p> <p>19 A. Well, things often change.</p> <p>20 Certainly the makeup of our department, you</p> <p>21 know, has changed.</p> <p>22 But my primary job responsibilities</p> <p>23 remained the same as far as, you know, managing</p> <p>24 the Akron Recovery Court program. That's the</p> <p>25 name of our program now, so it's switched from</p>	<p style="text-align: right;">Page 53</p> <p>1 court judge?</p> <p>2 A. Judge Oldham.</p> <p>3 Q. How long has he served in that</p> <p>4 role?</p> <p>5 A. Judge Oldham has been the presiding</p> <p>6 judge of the drug court for, I want to say,</p> <p>7 about three years.</p> <p>8 Q. Who was the judge prior to that</p> <p>9 time?</p> <p>10 A. Judge Oldfield.</p> <p>11 Q. And do you know Judge Oldfield's</p> <p>12 tenure with the court?</p> <p>13 A. How long she was with us?</p> <p>14 Q. Correct.</p> <p>15 A. Gosh, I believe Judge Oldfield was,</p> <p>16 you know, with the Akron Municipal Court for,</p> <p>17 you know, approximately four to five years.</p> <p>18 Q. Is the recovery court a specialized</p> <p>19 court of the Akron Municipal Court?</p> <p>20 A. It is. It's a -- classified as a</p> <p>21 specialized docket.</p> <p>22 Q. Do you work with other areas of the</p> <p>23 Akron Municipal Court?</p> <p>24 A. I do.</p> <p>25 Q. What's the nature of your work with</p>

<p style="text-align: right;">Page 54</p> <p>1 other areas of the Akron Municipal Court?</p> <p>2 A. You know, often I receive requests</p> <p>3 from the -- you know, we have six judges that</p> <p>4 work for the Akron Municipal Court, so I will</p> <p>5 receive any number of requests from those</p> <p>6 judges for assistance with, you know, a case</p> <p>7 that perhaps they're working on.</p> <p>8 Q. What is the relationship between</p> <p>9 the recovery court and the rest of the</p> <p>10 municipal court?</p> <p>11 A. Well, it's one of our five</p> <p>12 specialized dockets, so you know, it's -- it's</p> <p>13 certainly a part of our court. But, you know,</p> <p>14 we -- we are involved in other specialized</p> <p>15 dockets as well.</p> <p>16 Q. What are the other specialized</p> <p>17 dockets that you've referenced?</p> <p>18 A. The other specialized dockets that</p> <p>19 the Akron Municipal Court operates is -- well,</p> <p>20 we have a drug court. We have an OVI court or</p> <p>21 DUI court. We have a mental health court. We</p> <p>22 have a family intervention court, which used to</p> <p>23 be called domestic violence, you know, court,</p> <p>24 but it's now called the family intervention</p> <p>25 court. And our newer specialized docket is</p>	<p style="text-align: right;">Page 56</p> <p>1 A. I'm not involved, you know, in the</p> <p>2 budgeting process. I know that we receive a</p> <p>3 variety of funding, each of our specialized</p> <p>4 dockets, from a number of different sources. I</p> <p>5 don't believe any of the specialized dockets</p> <p>6 have their own, quote, "general budget."</p> <p>7 Q. So is it right that the recovery</p> <p>8 court participates in the overall municipal</p> <p>9 court budget?</p> <p>10 MS. LEYIMU: Object to the form.</p> <p>11 A. That's my understanding.</p> <p>12 Q. Who's responsible for the municipal</p> <p>13 court budget?</p> <p>14 A. Our court administrator.</p> <p>15 Q. Who currently serves in that role?</p> <p>16 A. Montrella Jackson.</p> <p>17 Q. Do you provide Montrella Jackson</p> <p>18 with information relating to the needs of the</p> <p>19 Recovery Court for budget purposes?</p> <p>20 A. We have a yearly budget meeting:</p> <p>21 All supervisors, the chief probation officer,</p> <p>22 myself, all of the six judges. So we certainly</p> <p>23 provide input on regular budgetary, you know,</p> <p>24 questions. But I don't submit any particular</p> <p>25 documents, you know, for that -- for that</p>
<p style="text-align: right;">Page 55</p> <p>1 valor court, which is a veteran's treatment</p> <p>2 court.</p> <p>3 Q. Do you participate in any of those</p> <p>4 specialized courts, other than the recovery</p> <p>5 court?</p> <p>6 A. Occasionally, as requested by that</p> <p>7 respective presiding judge. So if there's a</p> <p>8 special need or they want my involvement, you</p> <p>9 know, I -- I will certainly attend those</p> <p>10 sessions or work with a client as requested by</p> <p>11 that judge.</p> <p>12 Q. What types of services do you</p> <p>13 provide to the other specialized dockets?</p> <p>14 A. Primarily, they are questions</p> <p>15 related to substance abuse, you know,</p> <p>16 treatment, opinions, recommendations. You</p> <p>17 know, often judges will contact me when one of</p> <p>18 their clients in a specialized docket is</p> <p>19 suffering from what appears to be a -- you</p> <p>20 know, a serious substance abuse issue.</p> <p>21 Q. Does the drug court share resources</p> <p>22 with the rest of the municipal court system?</p> <p>23 A. We do. We do.</p> <p>24 Q. Does the recovery court have its</p> <p>25 own budget?</p>	<p style="text-align: right;">Page 57</p> <p>1 purpose.</p> <p>2 Q. Have you ever made any request to</p> <p>3 increase funding for the recovery court?</p> <p>4 MS. LEYIMU: Object to the form.</p> <p>5 A. I certainly recall having</p> <p>6 conversations about the ability to identify and</p> <p>7 provide more resources. In particular, you</p> <p>8 know, looking at grants or other means to -- to</p> <p>9 receive monies.</p> <p>10 Q. Do you know what portion of the</p> <p>11 recovery court is funded by monies obtained</p> <p>12 outside of the Akron municipal budget?</p> <p>13 MS. LEYIMU: Object to the form.</p> <p>14 A. I do not.</p> <p>15 Q. Do you have personal involvement in</p> <p>16 obtaining grant money for the recovery court?</p> <p>17 A. I'm sorry. Could you repeat that</p> <p>18 question?</p> <p>19 Q. Do you have involvement in</p> <p>20 obtaining grant funds for the recovery court?</p> <p>21 A. Not directly. I don't -- I don't</p> <p>22 write grants.</p> <p>23 Q. Are you aware of the sources of</p> <p>24 funds for the recovery court?</p> <p>25 MS. LEYIMU: Object to the form.</p>



<p style="text-align: right;">Page 58</p> <p>1 A. I am.</p> <p>2 Q. For the year 2018, what are the</p> <p>3 sources of funding for the recovery court?</p> <p>4 A. You know, my recollection of -- of</p> <p>5 that funding is general budget, out of court;</p> <p>6 we receive some funds from the Summit County</p> <p>7 ADM Board; and we are currently receiving a</p> <p>8 SAMHSA drug court enhancement grant.</p> <p>9 Q. What is the Sum- -- Summit County</p> <p>10 ADM Board?</p> <p>11 A. Summit County ADM Board of Akron</p> <p>12 stands for the Alcohol, Drug and Mental Health</p> <p>13 Board, so they are the county's, you know,</p> <p>14 funding mechanism to assist with alcohol and</p> <p>15 drug and mental health needs.</p> <p>16 Q. How does the recovery court obtain</p> <p>17 funds from the Summit County ADM Board?</p> <p>18 MS. LEYIMU: Object to the form.</p> <p>19 A. I don't know the specifics of how</p> <p>20 those monies, you know, are -- are funneled,</p> <p>21 you know, to our court. I'm not involved in</p> <p>22 that process.</p> <p>23 Q. Do you know what portion of your</p> <p>24 current budget is funded by the Summit County</p> <p>25 ADM Board?</p>	<p style="text-align: right;">Page 60</p> <p>1 over a year ago.</p> <p>2 Q. Do you know the amount of funding</p> <p>3 received through the SAMHSA grant?</p> <p>4 A. You know, my --</p> <p>5 MS. LEYIMU: Object to the form.</p> <p>6 THE WITNESS: I'm sorry.</p> <p>7 MS. LEYIMU: You can answer.</p> <p>8 A. My recollection was that, you know,</p> <p>9 it was a three-year grant at approximately</p> <p>10 \$1 million.</p> <p>11 Q. What portion of that \$1 million is</p> <p>12 allocated to the recovery court?</p> <p>13 MS. LEYIMU: Object to the form.</p> <p>14 A. I don't have knowledge of that.</p> <p>15 Q. Who would?</p> <p>16 A. The Oriana House, you know,</p> <p>17 Incorporated, who managed that -- that grant.</p> <p>18 Q. In the current budget year 2018,</p> <p>19 are there any other sources of funding of which</p> <p>20 you are aware, outside of the Akron municipal</p> <p>21 budget?</p> <p>22 A. Not to my knowledge.</p> <p>23 Q. You mentioned Oriana House. What</p> <p>24 is Oriana House?</p> <p>25 A. They are a nonprofit community</p>
<p style="text-align: right;">Page 59</p> <p>1 A. I do not.</p> <p>2 MS. LEYIMU: Object to the form.</p> <p>3 Q. Who would know that information?</p> <p>4 A. I would think Ms. Jackson, the</p> <p>5 court administrator.</p> <p>6 Q. You also mentioned another grant.</p> <p>7 Could you remind me of its name?</p> <p>8 A. Sure. It's a federal grant,</p> <p>9 technically from SAMHSA, which is the federal</p> <p>10 substance abuse mental health, you know,</p> <p>11 agency. They offer a variety of -- of grants</p> <p>12 to specialized dockets, and we applied for and</p> <p>13 were awarded one of those grants.</p> <p>14 Q. Were you involved in applying for</p> <p>15 the SAMHSA grant?</p> <p>16 A. I was involved in some plenary</p> <p>17 meetings to discuss that grant. But I did not</p> <p>18 write the grant, and it was not awarded</p> <p>19 directly to our court.</p> <p>20 Q. To what entity was the grant</p> <p>21 awarded?</p> <p>22 A. It was awarded to the Oriana House,</p> <p>23 Incorporated.</p> <p>24 Q. When was that grant obtained?</p> <p>25 A. Approximately a year -- a little</p>	<p style="text-align: right;">Page 61</p> <p>1 corrections company.</p> <p>2 Q. What is the relationship between</p> <p>3 Oriana House and the recovery court?</p> <p>4 MS. LEYIMU: Object to the form.</p> <p>5 A. We contract with them for case</p> <p>6 management services.</p> <p>7 Q. What does case management for the</p> <p>8 recovery court include?</p> <p>9 A. Essentially, if you're a client in</p> <p>10 the drug court program, it means that you're</p> <p>11 going to be physically meeting with that case</p> <p>12 manager on multiple occasions during any given</p> <p>13 week.</p> <p>14 Q. What type of services does the</p> <p>15 coordinator provide to drug recovery court</p> <p>16 clients?</p> <p>17 MS. LEYIMU: Object to the form of</p> <p>18 the question.</p> <p>19 A. I'm sorry. Can you repeat that</p> <p>20 question?</p> <p>21 Q. I'll rephrase.</p> <p>22 What types of direct services do</p> <p>23 the Oriana House coordinators provide to</p> <p>24 recovery court clients?</p> <p>25 MS. LEYIMU: Object to the form.</p>

<p style="text-align: right;">Page 62</p> <p>1 A. You know, the case managers will, 2 you know, meet with the clients. They will 3 make referrals in consultation with the rest of 4 the recovery court team. The Oriana House 5 operates a number of programs that include IOP 6 or substance abuse, you know, treatment. They 7 also operate their own drug testing lab. And 8 they also offer, you know, education, 9 employment, housing assistance. 10 Q. What is the financial relationship 11 between Oriana House and the recovery court? 12 MS. LEYIMU: Object to the form of 13 the question. 14 A. The City of Akron has a contract, 15 you know, with the Oriana House to pay for the 16 services that they provide. 17 Q. Do you know if that money comes 18 from the municipal court budget? 19 A. I do not. 20 Q. Who would know that? 21 A. Again, I would think, you know, 22 Ms. Jackson, who's our court administrator. 23 That's one of her main, primary jobs. 24 MS. LEYIMU: Can we take a break? 25 We've been going for about an hour now.</p>	<p style="text-align: right;">Page 64</p> <p>1 Court. So we thereby involved, you know, more 2 communities in Summit County that could take 3 advantage of the resources that we provide. 4 Q. What is the nature of the financial 5 relationship between the Akron Recovery Court 6 and the other local jurisdictions you just 7 identified? 8 MS. LEYIMU: Object to the form. 9 A. Could you repeat the question? 10 Q. What is the nature of the financial 11 relationship between the Akron Recovery Court 12 and the local jurisdictions you just 13 identified? 14 MS. LEYIMU: The same objection. 15 A. To my knowledge, the Akron Recovery 16 Court receives no financial monies from those 17 jurisdictions. It's a service that we provide 18 as part of being part of the municipal court. 19 Q. Is there any memorandum of 20 understanding in place between Akron and any of 21 those jurisdictions you just identified? 22 A. The only MOU that I'm aware of was 23 drafted specific to our relationship with the 24 Stow Municipal Court, just because that's -- 25 that's not something that's usual. That's</p>
<p style="text-align: right;">Page 63</p> <p>1 MS. WU: Sure. 2 THE VIDEOGRAPHER: Going off the 3 record at 10:10 a.m. 4 (A recess was taken.) 5 THE VIDEOGRAPHER: Back on the 6 record at 10:30 a.m. 7 BY MS. WU: 8 Q. Mr. Sturmi, are you ready to 9 restart your deposition? 10 A. Yes. 11 Q. Mr. Sturmi, what is the 12 jurisdiction of the recovery court in Akron? 13 A. Initially, it -- it's the 14 jurisdiction of the Akron Municipal Court and 15 the cities that encompass that. Did you want 16 me to list those? 17 Q. Yes. 18 A. Okay. So it would be the City of 19 Akron, the City of Fairlawn, Bath Township, 20 Richfield Township, Springfield Township, and a 21 very small part of Mogadore. 22 The reason I said "initially" is a 23 little over a year ago we entered into an 24 agreement to assist the Stow Municipal Court. 25 They could make referrals to the Akron Recovery</p>	<p style="text-align: right;">Page 65</p> <p>1 something that's out- -- outside the norm. 2 Q. What makes it outside the norm? 3 A. Courts, you know, rarely cross 4 jurisdiction. So, you know, cases that are 5 part of the Stow Municipal Court, you know, 6 typically they're going to be handled with that 7 respective judge, with that respective court. 8 Because the Stow Municipal Court 9 does not operate a current drug court 10 specialized docket, there was meetings and 11 discussions, and it was determined that that 12 was a service that we would like to provide to 13 enable, you know, those clients to receive 14 services. 15 Q. Who made the determination that 16 Stow clients could be referred to the Akron 17 Recovery Court? 18 A. You know, my recollection, you 19 know, was there was some initial meetings 20 between Judge Oldfield, who at the time was our 21 presiding Akron Recovery Court judge, and Judge 22 Kim Hoover, who was, and still is, a judge with 23 the Stow Municipal Court. 24 Q. Did you participate in the 25 determination to build a relationship between</p>

<p style="text-align: right;">Page 66</p> <p>1 Stow and the Akron Recovery Court?</p> <p>2 A. I was part of -- of those meetings,</p> <p>3 yes.</p> <p>4 Q. What was your contribution to that</p> <p>5 process?</p> <p>6 A. I think primarily because it was so</p> <p>7 unique. To my knowledge, there's no other</p> <p>8 municipal courts that cross jurisdiction lines,</p> <p>9 you know, to allow clients to receive those</p> <p>10 services. So really, it was just providing</p> <p>11 education and information on what our program</p> <p>12 was, how we operate, and how that could</p> <p>13 potentially help the clients that they serve.</p> <p>14 Q. When did Stow obtain rights to</p> <p>15 refer clients to the Akron Recovery Court?</p> <p>16 A. I don't specifically recall that</p> <p>17 date, but it's been, you know, a little over a</p> <p>18 year.</p> <p>19 Q. Does Stow contribute financially to</p> <p>20 the Akron Recovery Court?</p> <p>21 A. They do not.</p> <p>22 Q. How many clients of the Akron</p> <p>23 Recovery Court are Stow referrals currently?</p> <p>24 A. Currently, we just have one Stow</p> <p>25 Municipal Court client.</p>	<p style="text-align: right;">Page 68</p> <p>1 and things of that nature.</p> <p>2 Q. During the conversations prior to</p> <p>3 executing an MOU with Stow, did you raise any</p> <p>4 concerns about the Akron Recovery Court's</p> <p>5 capacity to take referrals from Stow?</p> <p>6 MS. LEYIMU: Object to the form of</p> <p>7 the question.</p> <p>8 A. I don't recall, you know, having</p> <p>9 concerns about, you know, the capa- -- you</p> <p>10 know, that capacity.</p> <p>11 My recollection was we were going</p> <p>12 to see where we were at after one year. You</p> <p>13 know, obviously our -- our goal is to provide</p> <p>14 services to as many clients as we can.</p> <p>15 However, we certainly needed to make sure that</p> <p>16 the numbers that were coming from Stow did not</p> <p>17 become, quote, "problematic," an issue, or in</p> <p>18 any way, shape, or form reduced our ability to</p> <p>19 provide services to clients that live within</p> <p>20 the jurisdiction of the Akron Municipal Court.</p> <p>21 Q. Did you have any concerns about the</p> <p>22 recovery court's financial capacity to serve</p> <p>23 client -- clients referred by Stow?</p> <p>24 MS. LEYIMU: Object to the form of</p> <p>25 the question.</p>
<p style="text-align: right;">Page 67</p> <p>1 Q. And is it your testimony that Akron</p> <p>2 funds the services provided to the Stow re- --</p> <p>3 Stow referral to the Akron Municipal Court?</p> <p>4 MS. LEYIMU: Object to the form.</p> <p>5 A. Could you repeat the question,</p> <p>6 please?</p> <p>7 Q. Is it your testimony that Akron</p> <p>8 funds the services provided to the client</p> <p>9 referred by Stow to the Akron Recovery Court?</p> <p>10 A. We do provide services to those</p> <p>11 clients, yes.</p> <p>12 Q. Do you know the cost of services</p> <p>13 provided to the Stow referral to the Akron</p> <p>14 Recovery Court?</p> <p>15 A. I --</p> <p>16 MS. LEYIMU: Objection.</p> <p>17 A. I don't have any knowledge of that.</p> <p>18 Q. Where would we look to identify the</p> <p>19 cost of services provided to non-Akron</p> <p>20 residents?</p> <p>21 MS. LEYIMU: Object to the form of</p> <p>22 the question.</p> <p>23 A. My suggestion would be perhaps to</p> <p>24 have discussion with the Stow Municipal Court</p> <p>25 administrator, who's responsible for budgeting</p>	<p style="text-align: right;">Page 69</p> <p>1 A. I did not have any specific</p> <p>2 concerns about that, no.</p> <p>3 Q. Mr. Sturmi, you described the</p> <p>4 geographic jurisdiction of the recovery court.</p> <p>5 What are the other aspects of the jurisdiction?</p> <p>6 Who comprises the client population?</p> <p>7 A. Anybody in the drug court, ma'am?</p> <p>8 Q. Yes.</p> <p>9 A. Okay. Anybody that's arrested</p> <p>10 within that jurisdiction. So if they're</p> <p>11 charged with, you know, a misdemeanor criminal</p> <p>12 offense, that is what brings them, potentially,</p> <p>13 you know, into the, you know -- well, it</p> <p>14 doesn't -- it brings them into the jurisdiction</p> <p>15 of the court, and then it's up to the way that</p> <p>16 that case is processed as to whether that</p> <p>17 client may or may not enter, you know, the</p> <p>18 recovery court.</p> <p>19 Q. Could you describe the process for</p> <p>20 referral of a client to the recovery court?</p> <p>21 A. Sure. We have a number of ways of</p> <p>22 trying to identify a potential recovery court</p> <p>23 client. Our initial screening process begins</p> <p>24 with a staff member that scans our arrest</p> <p>25 sheets on a daily basis, and we are</p>

<p style="text-align: right;">Page 70</p> <p>1 specifically looking for offenders that are  2 charged with misdemeanor drug offenses.  3 Q. What happens once the staff member  4 scans the arrest sheets for offenders charged  5 with misdemeanor drug offenses?  6 A. They complete, you know, a form.  7 It's called the Akron Recovery Court  8 Preliminary Screening Form. That form has the  9 defendant's name, the case number or case  10 numbers, the charges that they're charged with.  11 They also conduct a background check, you know,  12 on that individual to check for any wants or  13 warrants. They look at their prior history and  14 try and make an assessment as to whether that  15 person could be eligible, you know, for the  16 program.  17 Q. Who are the individuals who conduct  18 the screening process?  19 A. Other Akron probation officers.  20 The primary individual who does that is  21 Probation Officer Alissa Streeter.  22 Q. Is there anyone else who's involved  23 in the screening process?  24 A. Yes, depending upon staffing. You  25 know, we have backup staff that will conduct</p>	<p style="text-align: right;">Page 72</p> <p>1 about recovery court, then they're scheduled  2 for the next available recovery court session,  3 which is typically every Thursday at 9:00 a.m.  4 So that client would sign an  5 appearance slip. We would give them a packet  6 of information: a pamphlet about recovery  7 court, my business card, and certainly a copy  8 of their appearance slip that orders them to  9 come back to court.  10 Q. You mentioned the screening  11 process. Could you describe that?  12 A. Sure. When that client would come  13 to a drug court session, they would first just  14 watch some of the drug court session just so  15 they could get an idea of how it operates. You  16 know, I can sit there and tell them about what  17 recovery court is, but we find it's much more  18 helpful for them to view it.  19 In addition to that, they speak  20 with legal counsel that the court provides.  21 And then they meet with a  22 representative from the Oriana House admissions  23 department, who conducts a screen interview,  24 where we're getting some additional demographic  25 information and we're scheduling that person</p>
<p style="text-align: right;">Page 71</p> <p>1 those preliminary screens on an as-needed basis  2 if Officer Streeter is out of the office, you  3 know, on whatever time she may be on.  4 Q. Following the initial screening,  5 what happens next in terms of considering a  6 client for referral to the recovery court?  7 A. Depending upon whether they are in  8 custody or not, most of the clients that --  9 that come to our attention are not in custody.  10 These are misdemeanor charges, so they're often  11 given summonses.  12 So when they're ordered to come to  13 their specific arraignment on that charge, we  14 are aware of that. We are monitoring that  15 case. And if that client shows up in  16 arraignment court, either myself or another  17 staff member will go up to interview that  18 client.  19 Q. All right. What is the subject of  20 the interview?  21 A. A brief introduction, discussion  22 about the client potentially coming to a -- we  23 would term it as a recovery court screen. Our  24 recovery court program is a voluntary one, so,  25 you know, if the client wants to learn more</p>	<p style="text-align: right;">Page 73</p> <p>1 for a full substance abuse assessment.  2 Q. Is there paperwork involved in the  3 initial screen process?  4 A. Yes.  5 Q. Could you describe what documents  6 are included?  7 A. Well, the screening packet is -- is  8 a document that's provided by the Oriana House,  9 Incorporated. So that document has, again,  10 general demographic information: client's  11 name, the case number, date of birth, soc.,  12 address. Certainly, they're activated in our  13 computer system so we can start tracking, you  14 know, that case.  15 And in addition to that, you know,  16 the packet itself would have some family  17 health, education, employment type of  18 questions. It would also, you know, ask what  19 substance or substances that client, you know,  20 has been using, how often, when is the last  21 time they used.  22 Q. Where is that information recorded  23 in the recovery court system?  24 A. It's not recorded in the recovery  25 court system. It's a paper document that is</p>



<p style="text-align: right;">Page 74</p> <p>1 certainly put in the defendant's probation 2 file.</p> <p>3 Q. Is there any work that the recovery 4 court does to verify the substances identified 5 by clients referred to the recovery court?</p> <p>6 MS. LEYIMU: Object to the form.</p> <p>7 A. Well, certainly they're going to 8 interview and ask the -- the client questions 9 about those substances.</p> <p>10 In addition to that, the substance 11 abuse assessment, that's done at a different 12 date, time and location. A drug test is -- is 13 administered at that time to help to try to 14 verify, you know, the information that that 15 client may be self-reporting. So that is one 16 mechanism.</p> <p>17 Q. Does the screening process involve 18 any inquiry into a referred client's 19 prescription drug history?</p> <p>20 A. There -- there is, you know, 21 questions related to what medication or 22 medications that client may currently be 23 taking.</p> <p>24 Q. Is there any effort made by the 25 recovery court staff to determine the source of</p>	<p style="text-align: right;">Page 76</p> <p>1 and reviewed by the recovery court team prior 2 to that client entering the program at their 3 admission hearing.</p> <p>4 Q. And when you review those forms, 5 what are you looking for?</p> <p>6 A. Well, I'm looking for any and all 7 information that can help me better understand 8 that client's history. So I'm looking at any 9 number of factors. I'm looking at where does 10 the client live? What's their family 11 situation? What's their education? What's 12 their employment?</p> <p>13 Certainly, I'm specifically looking 14 at their substance abuse, you know, history. 15 What's their self-reported use? What do the 16 UDS, you know, tests show? The assessment will 17 provide a diagnosis, and it will give a 18 recommended level of care.</p> <p>19 Q. Now, let's circle back to the 20 assessment that you mentioned. Who conducts 21 the assessment?</p> <p>22 A. Our assessments are conducted by 23 the Oriana House assessment center, so it is 24 the Oriana House, Incorporated.</p> <p>25 Q. What is the substance of the</p>
<p style="text-align: right;">Page 75</p> <p>1 those medications?</p> <p>2 MS. LEYIMU: Object to the form of 3 the question.</p> <p>4 A. If the client enters the program, 5 then we initiate communication with any doctor 6 that is prescribing medication to our client, 7 but not in the screening process. Only if they 8 enter the program.</p> <p>9 Q. So let's continue our march through 10 the process.</p> <p>11 What happens following the initial 12 screening?</p> <p>13 A. The turnaround time, you know, is 14 approximately two weeks. So we have a drug 15 court session today, right now, that's going 16 on. So a client that's being screened today 17 for the Akron Recovery Court program will sign 18 an appearance slip to return in two weeks.</p> <p>19 The reason that there's that 20 two-week time frame is primarily to give the 21 client the opportunity to complete that 22 substance abuse assessment. That substance 23 abuse assessment is a lengthy interview, 24 approximately two-plus hours.</p> <p>25 And that assessment is sent to me</p>	<p style="text-align: right;">Page 77</p> <p>1 assessment conducted by Oriana staff?</p> <p>2 MS. LEYIMU: Object to the form of 3 the question.</p> <p>4 A. Do you mean what do they do during 5 that assessment?</p> <p>6 Q. What information from the 7 assessment is reported to you at the recovery 8 court?</p> <p>9 A. The assessment is approximately a 10 15-page document. That document will include, 11 again, demographic information: family 12 background, health, education, employment, 13 prior criminal history, and substance abuse 14 history.</p> <p>15 Q. Is there a drug testing component 16 of that assessment?</p> <p>17 A. Yes.</p> <p>18 Q. Could you describe that for us?</p> <p>19 A. It's a urine drug screen that's 20 collected at the Oriana House assessment 21 center.</p> <p>22 Q. How is the information from the 23 assessment reported to the recovery court?</p> <p>24 A. It's provided to me in a hard-copy 25 document.</p>

<p style="text-align: right;">Page 78</p> <p>1 Q. Is that information inputted into 2 any recovery court data systems? 3 MS. LEYIMU: Object to the form. 4 A. No, not to my knowledge. 5 Q. Do potential clients referred to 6 the recovery court have to sign any waivers of 7 confidentiality? 8 A. They sign releases of information 9 to allow that assessment, which, you know, is a 10 confidential document, to be shared with me and 11 the recovery court team. 12 Q. Does the assessment document become 13 part of the public court file? 14 A. It does not. 15 MS. LEYIMU: Object to the form. 16 A. It does not. It's a confidential 17 document. 18 Q. Does the assessment include an 19 inquiry into the sources of drugs used by 20 potential clients of the recovery court? 21 MS. LEYIMU: Object to the form of 22 the question. 23 A. Yes. There are questions that are 24 asked related to how and when and what 25 substances that client has used in their life.</p>	<p style="text-align: right;">Page 80</p> <p>1 disabilities, physical health disabilities. 2 Anything that may hinder their ability to be 3 successful in the program. 4 Q. Are there concrete factors that you 5 are required to consider in order to determine 6 eligibility for participation in the recovery 7 court? 8 MS. LEYIMU: Object to the form. 9 A. Yes. 10 Q. Where are those recorded? 11 A. They're recor- -- they're recorded 12 in our policy and procedure handbook. 13 Q. And what are those other factors? 14 A. It's primarily a substance abuse, 15 you know, diagnosis. The client has to have a 16 substance use disorder as defined by, you know, 17 the DSM-IV. 18 Q. Who is responsible for making a 19 final eligibility determination for the 20 recovery court? 21 A. We collectively do that as a drug 22 court team. So we will staff, you know, any 23 pending admission. We conduct a weekly 24 conference call every Wednesday at 9:00 a.m., 25 and during that conference call, part of that</p>
<p style="text-align: right;">Page 79</p> <p>1 Q. And how is that information 2 reported in the assessment document? 3 A. It's part of that assessment 4 doc- -- document that looks like a graph. It 5 will list, you know, the drug, when it was 6 first used, when it was last used, and how 7 often that client is reporting use. 8 Q. As the administrator for the drug 9 court, do you have any data-recording 10 responsibilities that relate to the screening 11 and assessment of clients referred to the 12 recovery court? 13 MS. LEYIMU: Object to the form. 14 A. No. 15 Q. When you review the screening 16 information and assessment, what factors do you 17 consider in order to determine admission to the 18 recovery court? 19 A. Pretty simply, you have to be 20 diagnosed with a substance use disorder. 21 Q. Are there any other factors that 22 you consider beyond the diagnosis? 23 A. Sure. You know, we -- we're going 24 to look at, you know, if that person, you know, 25 has any other mental health, you know,</p>	<p style="text-align: right;">Page 81</p> <p>1 conference call is to discuss the potential 2 admissions that are scheduled for that 3 particular session. 4 Q. Who participates in those weekly 5 conference calls? 6 A. Myself, Judge Oldham, and several 7 members from the Oriana House drug court team. 8 Do you want me to name those folks? 9 Q. Yes, please? 10 A. Emily Beers, who is the program 11 manager for the Oriana House. Caseworkers 12 Carmen Bivins, caseworker Evelyn Williams, and 13 recovery court -- recovery coach Marie Burger. 14 Q. You referred to the recovery court 15 team. Are there any other members of that team 16 beyond those you just identified? 17 A. Yes. 18 Q. Who are those other recovery court 19 team members? 20 A. Sure. Other team members are 21 representative from the Akron Police 22 Department. They assign one of their 23 detectives from the Akron Police Department 24 SNUD unit. It's an acronym that stands for 25 Street Narcotics Uniform Detail. So that</p>

<p style="text-align: right;">Page 82</p> <p>1 officer is part of that team and will attend, 2 you know, every recovery court session. 3 In addition to that, the assistant 4 Akron City prosecutor that is assigned to Judge 5 Oldham's court. That person is currently 6 Mr. Ben Carro. And then also a representative 7 from the legal defender's office. The current 8 legal defender that's assigned to Judge 9 Lombardi's [sic] court is Marcus Lombardi. 10 Q. Mr. Sturmi, could you tell us the 11 name of the SNUD representative? 12 A. Yes. It's Detective Brian, his 13 last name is Nida. 14 Q. Of the recovery team members you 15 just identified, which ones of them are 16 employed by the Akron Municipal Court system? 17 A. Judge Oldham, myself, Ben Carro, 18 Detective Nida. 19 Q. Detective Nida is an employee of 20 the Akron Municipal Court? 21 A. Oh, I apologize. City of -- of -- 22 City of Akron. So the Akron Municipal Court is 23 specific to Judge Oldham and myself. 24 Q. Are there any other members of the 25 recovery court team who are employed by the</p>	<p style="text-align: right;">Page 84</p> <p>1 A. Judge Oldham. 2 Q. Judge Oldham. 3 A. Yes. 4 Q. Thank you. 5 A. Uh-huh. 6 Q. Mr. Sturmi, do you recognize the 7 document marked as Exhibit 1? 8 A. Yes. 9 Q. What is it? 10 A. It's the Akron Municipal Recovery 11 Court Participant Handbook. 12 Q. Did you have involvement in 13 preparing the material included in Exhibit 1? 14 A. To a limited extent, yes. 15 Q. What was the nature of your 16 involvement? 17 A. Essentially, working with our chief 18 probation officer with drafting, you know, this 19 document. 20 Q. How often is this document updated? 21 A. Typically, you know, once a year, 22 you know, we're taking a look at all of our 23 materials. It's as part of our Supreme Court 24 of Ohio certification. 25 Q. You mentioned the Supreme Court of</p>
<p style="text-align: right;">Page 83</p> <p>1 municipal court system? 2 A. Yes. I apologize. I have a 3 probation aide that works with me as well. His 4 name is Adam Krutko. 5 Q. Are there any other probation 6 officers who serve on the recovery court team? 7 A. Not at the present time, no. 8 MS. WU: I'd like to ask the court 9 reporter to mark our first exhibit, which is, 10 for the record, AKRON 001105240. 11 - - - - - 12 (Thereupon, Deposition Exhibit 1, 13 5/25/2018 E-Mail from Jeff Sturmi 14 Re: Akron Recovery Court 15 Information, with Attached recovery 16 court Participant Handbook, 17 AKRON_001105240 to 001105287, was 18 marked for purposes of 19 identification.) 20 - - - - - 21 Q. Mr. Sturmi, before we dig into 22 Exhibit 1, I just wanted to clarify one of your 23 past answers. 24 You made a reference to Judge 25 Lombardi's courtroom. Did you mean --</p>	<p style="text-align: right;">Page 85</p> <p>1 Ohio certification. To what are you referring? 2 A. The Ohio Supreme Court now requires 3 courts that identify themselves as a 4 specialized docket to go through a 5 certification process. 6 Q. What does that certification 7 process involve? 8 A. It's rather extensive. You know, 9 it's -- you -- you certainly have to fill out, 10 you know, an application and then attach 11 supporting documents. This is one of those. 12 You know, they require a participant handbook. 13 Once they've reviewed those 14 materials, then they will schedule site visits. 15 So they will physically come out and observe, 16 you know, all of the workings of your 17 specialized docket, which would include any 18 team meetings that you conduct, and certainly 19 the session itself. 20 Q. How often is the recovery court 21 required to complete certification with the 22 supreme court? 23 A. The State of Ohio has, you know, 24 three different certification terms, one-year, 25 two-year, and three-year. And it's random in</p>



<p style="text-align: right;">Page 86</p> <p>1 how they -- in how they determine how -- how  2 long that -- that certification will last  3 before you're required to go through  4 recertification.  5 Q. When was the last time the recovery  6 court completed certification?  7 A. As part of their processes, they  8 require any time a new judge comes to that  9 specialized docket, that requires a  10 recertification. So we did that when Judge  11 Oldham became the presiding recovery court  12 judge. I don't recall that specific date.  13 Again, approximately, you know, two to three  14 years ago.  15 Q. And when was the last time prior to  16 two to three years ago that the recovery court  17 completed certification?  18 A. The initial certification was, you  19 know, approximately two years prior to that.  20 Judge Oldfield was the judge at that time.  21 Q. And was that the first  22 certification the recovery court had completed?  23 A. That's correct.  24 Q. Am I correct that no certification  25 was required prior to that time?</p>	<p style="text-align: right;">Page 88</p> <p>1 materials presented in this portion of  2 Exhibit 1?  3 A. There was a number of individuals  4 that were involved in that process. I was one  5 of them.  6 Q. I'd like to march through some  7 aspects of this document.  8 If we look at the first substantive  9 page following the table of contents, which is  10 marked AKRON 001105259, in the overview  11 paragraph --  12 A. Okay.  13 Q. -- the third sentence reads, "It is  14 centered on the concept of therapeutic  15 jurisprudence."  16 Do you have an understanding of the  17 term "therapeutic jurisprudence"?  18 A. I do.  19 Q. What is it?  20 A. The idea that the court, and in  21 particular the judge, can, by their  22 involvement, help assist an offender in a  23 unique way.  24 Q. What's unique about that  25 assistance?</p>
<p style="text-align: right;">Page 87</p> <p>1 A. Correct. Prior to that no  2 certification was required.  3 Q. Mr. Sturmi, I'd like to ask you to  4 flip forward a couple of pages to the Bates  5 stamp --  6 Mr. Sturmi, do you know what a  7 Bates stamp is? It's the number down at the  8 bottom.  9 A. Okay. I got it. Thank you.  10 Q. I just want to make sure we're  11 speaking the same language.  12 The one that ends 5256.  13 A. Okay.  14 Q. We're looking at a document titled  15 "Akron Municipal Recovery Court Policy and  16 Procedure" -- "Procedure Manual."  17 Are you familiar with this  18 document?  19 A. I am.  20 Q. What is it?  21 A. It is the Policy and Procedure  22 Manual for the Akron Recovery Court. This  23 document is required as part of that  24 certification process.  25 Q. Were you involved in assembling the</p>	<p style="text-align: right;">Page 89</p> <p>1 MS. LEYIMU: Object to the form.  2 A. My opinion on that would be simply  3 most offenders that come to the attention of a  4 court see a judge once or twice and their case  5 is resolved.  6 The difference in a specialized  7 docket and therapeutic jurisprudence is that  8 that client is going to have much more contact  9 with that respective judge. They're going to  10 develop a relationship, you know, with that  11 court, with the staff, but, in particular, with  12 the judge. So it's a different way of doing  13 business.  14 Q. Now, I'd like to ask you to look at  15 the next page, ending 5260. At the top of the  16 page we see a section titled "Goals and  17 Objectives."  18 Do you see that, Mr. Sturmi?  19 A. I do.  20 Q. Goal No. 3 reads, "Increase the  21 number of recovery court participants who  22 complete treatment."  23 In the year 2018, how many drug  24 court clients do you have?  25 A. At the present time, we have</p>

<p style="text-align: right;">Page 90</p> <p>1 approximately 42 clients in our program.</p> <p>2 Q. And how many clients have you had</p> <p>3 complete treatment in the year 2018?</p> <p>4 A. That would be difficult for me to</p> <p>5 determine.</p> <p>6 Q. Where would you look to determine</p> <p>7 that information?</p> <p>8 A. If I have, you know, specific data</p> <p>9 requests, I will either work with the probation</p> <p>10 aide to determine that, or I will reach out to</p> <p>11 the Oriana House, who also maintains their own</p> <p>12 records.</p> <p>13 Q. You mentioned that you have 42</p> <p>14 clients currently. Is that more or less than</p> <p>15 you had in 2017?</p> <p>16 MS. LEYIMU: Object to the form.</p> <p>17 A. I -- I don't know the answer to</p> <p>18 that question. I -- I think that it's pretty</p> <p>19 consistent. It -- it generally hovers in</p> <p>20 that -- in that 40 to 50 area.</p> <p>21 Q. Is there a cap on the number of</p> <p>22 drug court -- I'm sorry -- recovery court</p> <p>23 clients you are able to accept?</p> <p>24 A. I don't know if we'd ever say no,</p> <p>25 but I know the goal, you know, has been that</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. It says, "The recovery court</p> <p>2 targets offenders for admission who are</p> <p>3 addicted to illicit drugs or alcohol and are at</p> <p>4 a substantial risk for re-offending,"</p> <p>5 et cetera, et cetera.</p> <p>6 Do you see where I'm reading,</p> <p>7 Mr. Sturmi?</p> <p>8 A. I do.</p> <p>9 Q. Do you have an understanding of the</p> <p>10 reference to illicit drugs?</p> <p>11 A. I do.</p> <p>12 Q. What is your understanding?</p> <p>13 A. That they would be deemed illegal</p> <p>14 by the State of Ohio as determined by the Ohio</p> <p>15 Revised Code.</p> <p>16 Q. Does this reference to illicit</p> <p>17 drugs include prescription opioids?</p> <p>18 MS. LEYIMU: Object to the form.</p> <p>19 A. It can.</p> <p>20 Q. In what circumstances would this</p> <p>21 reference to illicit drugs include prescription</p> <p>22 opioids?</p> <p>23 A. If an individual is using or</p> <p>24 abusing a prescription drug that they got on</p> <p>25 the street, they purchased on the street, they</p>
<p style="text-align: right;">Page 91</p> <p>1 the ratio from the client to the caseworker</p> <p>2 should never be greater than 35 to 1.</p> <p>3 So if we ever got to the point --</p> <p>4 which we have, you know, many, many years</p> <p>5 ago -- if that number was higher, then we would</p> <p>6 approach the Oriana House or the Summit County</p> <p>7 ADM Board about the potential of having another</p> <p>8 caseworker assigned.</p> <p>9 Q. What is the highest number of</p> <p>10 clients you have seen in the recovery court?</p> <p>11 A. Boy, you know, I started managing</p> <p>12 the doc- -- you know, that docket in -- you</p> <p>13 know, in 2003. I don't know if it's, you know,</p> <p>14 ever been higher than the target goal of</p> <p>15 roughly 70 at any given time.</p> <p>16 Q. In your experience with the</p> <p>17 recovery court, have you ever had to turn away</p> <p>18 a potential client due to resources concerns?</p> <p>19 MS. LEYIMU: Object to the form.</p> <p>20 A. I don't have a recollection of</p> <p>21 that, no.</p> <p>22 Q. Now, if we stay on the same page</p> <p>23 ending 5260, if we move down to "target</p> <p>24 population."</p> <p>25 A. Yes, ma'am.</p>	<p style="text-align: right;">Page 93</p> <p>1 potentially stole from a family friend or</p> <p>2 relative that had that medication in their</p> <p>3 house.</p> <p>4 Q. Could this reference to illicit</p> <p>5 drugs include the use of drugs prescribed by an</p> <p>6 individual's own physician?</p> <p>7 MS. LEYIMU: Object to the form.</p> <p>8 A. Not typically.</p> <p>9 Q. Why is that?</p> <p>10 A. Well, if the individual was taking</p> <p>11 their medication properly and was not</p> <p>12 transporting that medication improperly in a</p> <p>13 car, then they wouldn't have been charged with</p> <p>14 a criminal drug offense.</p> <p>15 Q. Are you aware of any clients of the</p> <p>16 drug court -- drug court who have misused</p> <p>17 prescriptions prescribed by that individual's</p> <p>18 own physician?</p> <p>19 A. Over the course of years, you know,</p> <p>20 I've interviewed, you know, hundreds, perhaps</p> <p>21 thousands of clients. So, yes, you know, I</p> <p>22 certainly recall, you know, conversations with</p> <p>23 clients where they self-reported to me that</p> <p>24 they used their prescription in an improper</p> <p>25 manner.</p>

<p style="text-align: right;">Page 94</p> <p>1 Q. And where is that information 2 recorded? 3 MS. LEYIMU: Object to the form. 4 A. Depending upon the circumstances, 5 it can be recorded in probation notes. It can 6 be recorded in screening packets. 7 Q. Do you have any systematic way of 8 reporting the misuse of prescription drugs? 9 MS. LEYIMU: Object to the form of 10 the question. 11 A. Not a current systematic way. Not 12 a certain form or report. 13 Q. Is there any way to obtain 14 aggregate data concerning drug recovery court 15 clients' use of prescription drugs? 16 A. I don't have that mechanism at the 17 present time. 18 Q. Have you ever had that mechanism? 19 A. No one's ever requested, you know, 20 that specific, you know, information, so, no. 21 Q. Mr. Sturmi, I'd like to ask you to 22 look a few pages further in the document to the 23 page ending 5266. 24 A. Okay. 25 Q. And we see that -- I'm sorry. I'm</p>	<p style="text-align: right;">Page 96</p> <p>1 for that. 2 Q. Did you have to seek any additional 3 funds in order to provide resources to a 4 potential additional set of clients totaling 5 about 30? 6 MS. LEYIMU: Object to the form of 7 the question. 8 A. We did not. You know, the staff 9 that we had in place was sufficient to serve 10 the clients that were assigned to this 11 caseload. 12 Q. You mentioned that the current 13 client population total is 42; is that correct? 14 A. That's correct. 15 Q. What explains the additional slack 16 in the caseload currently? 17 MS. LEYIMU: Object to the form of 18 the question. 19 A. Very difficult, you know, for me to 20 answer that question because, you know, this 21 docket is a voluntary one. So for a client to 22 enter this program, they have to be willing to 23 engage. And it's -- you know, it's -- it's an 24 intensive program, so some clients don't -- 25 don't choose to access our program because of</p>
<p style="text-align: right;">Page 95</p> <p>1 having some mic trouble -- that there's a 2 carryover sentence from the prior page related 3 to capacity, and it reads, "It is recommended 4 that the recovery court program not exceed the 5 target active caseload of 100 offenders." 6 Do you see where I'm reading? 7 A. I do see that. 8 Q. Is that an accurate statement of 9 the recovery court's target caseload? 10 MS. LEYIMU: Object to the form. 11 A. It appears that it is because it's 12 in the document. 13 Q. Are you involved in identifying the 14 target caseload for the recovery court? 15 A. Yes, I'm part of that discussion. 16 Q. How was the target caseload 17 identified? 18 A. Well, as I had indicated earlier, 19 you know, that target caseload had -- had 20 always, you know, been around 70. You know, my 21 recollection of why this now says 100 is 22 because of the potential collaboration with the 23 Stow Municipal Court, so we were planning for 24 the possibility of an increase in our numbers 25 and trying to make sure that we were prepared</p>	<p style="text-align: right;">Page 97</p> <p>1 that. 2 Q. But it is the case that you have 3 additional capacity to provide services to more 4 clients of the recovery court, correct? 5 MS. LEYIMU: Object to the form of 6 the question. 7 A. At the present time, we do. 8 Q. Do you recall how many clients the 9 recovery court had in 2017? 10 MS. LEYIMU: Object to the form. 11 Asked and answered. 12 A. Again, my -- my guesstimate, you 13 know, would still hover around that 40 to -- to 14 50. In that ballpark. 15 Q. How about in 2016? 16 MS. LEYIMU: Object to the form. 17 A. I don't recall there being any 18 particular spike or decrease, so I think, you 19 know, staying in that 40 to 50 range has been 20 pretty consistent for several years. 21 Q. What is the highest number of 22 clients you recall? 23 MS. LEYIMU: Object to the form. 24 Asked and answered. 25 A. You know, I'm trying to think. You</p>

25 (Pages 94 - 97)

<p style="text-align: right;">Page 98</p> <p>1 know, when I first took over the -- the docket 2 in 2013, our caseloads, you know, may have been 3 a little bit higher. You know, 60, you know, 4 certainly no more than 70. 5 I think one of the main reasons 6 that was the case is our model has changed. 7 You know, the Akron Recovery Court used to be a 8 felony reduction model. The Summit County 9 Court of Common Pleas did not operate a drug 10 court. 11 So when an individual was charged 12 with a felony 4 or felony 5, if they wished to 13 receive services, that charge would be amended 14 to a misdemeanor of the first degree -- it's 15 called attempted drug abuse -- and then they 16 would enter the program. 17 Q. When -- when did the felony 18 reduction program mission end? 19 MS. LEYIMU: Object to the form. 20 A. Gosh. Maybe approximately 2005. A 21 couple years after I took over, in that 22 ballpark, you know. The Summit County Court of 23 Common Pleas decided that they were going to 24 operate a felony drug court program, so that 25 model changed.</p>	<p style="text-align: right;">Page 100</p> <p>1 A. Could you repeat the question 2 again? 3 Q. Certainly. Do you recall a 4 circumstance in which the recovery court has 5 turned away a potential client due to resources 6 constraints? 7 A. No, I don't recall that. 8 Q. Are you currently undertaking any 9 efforts to increase the number of clients 10 participating in the recovery court? 11 MS. LEYIMU: Object to the form. 12 A. You know, in the past, you know, 13 year, one of the changes we made was to 14 personally meet with and talk with clients that 15 appear in our arraignment court. Our previous 16 model did not include that personal touch, so 17 to speak. 18 We would give a client a form that 19 explained the recovery court, but they were 20 expected to make that decision in our 21 arraignment court without any discussion with 22 our staff. 23 So we felt that it would be better 24 served if a representative of our department 25 met with and at least introduced ourselves to</p>
<p style="text-align: right;">Page 99</p> <p>1 Q. Did the number of recovery court 2 participants in Akron reduce following the 3 Summit drug court institution? 4 A. It -- it did. 5 Q. By -- by how many participants? 6 MS. LEYIMU: Object to the form. 7 A. Approximately 10, 20. So it 8 dropped from 70 to that 40 or 50. 9 Q. In your time with the Akron 10 Recovery Court, what is the highest number of 11 clients you recall participating in the 12 recovery court program? 13 MS. LEYIMU: Object to the form. 14 Asked and answered. 15 A. Again, my recollection is that 70, 16 75 mark. 17 Q. Have you ever -- do you recall a 18 circumstance in which the recovery court has 19 turned away a potential client due to resources 20 constraints? 21 MS. LEYIMU: Object to the form. 22 Asked and answered again. 23 A. I previously answered that 24 question. 25 Q. Could you answer it again, please?</p>	<p style="text-align: right;">Page 101</p> <p>1 that client so we could better explain what 2 recovery court was as opposed to them just 3 looking at a document. 4 MS. WU: I'd like to mark a second 5 exhibit. 6 The court reporter is marking AKRON 7 001102890. 8 - - - - - 9 (Thereupon, Deposition Exhibit 2, 10 9/5/2017 E-Mail from Jeff Sturmi to 11 Aaron DeBord Re: Recovery court 12 Check In, AKRON_001102890, was 13 marked for purposes of 14 identification.) 15 - - - - - 16 Q. Mr. Sturmi, what is Exhibit 2? 17 A. It's an e-mail. 18 Q. Okay. I see that it's dated 19 September 5, 2017; is that correct? 20 A. Yes, that's correct. 21 Q. And it's an e-mail from you to 22 Aaron DeBord; is that correct? 23 A. Yes. 24 Q. Who is Aaron DeBord? 25 A. Mr. DeBord is the assistant court</p>

<p style="text-align: right;">Page 102</p> <p>1 administrator with the Stow Municipal Court.  2 Q. What was the purpose of your e-mail  3 communication to Mr. DeBord?  4 A. It was just to check in with him as  5 far as how the collaboration, you know, was  6 going with the Stow Municipal Court as it  7 related to referrals that they had generated  8 and any current clients that were in the  9 program.  10 Q. Now, if I can call your attention  11 to the second paragraph in your e-mail, it  12 reads, "We currently have 35 active clients in  13 the Akron RC program, which is low for us. I  14 just wanted to reach out to you to see if you  15 could help with some additional referrals from  16 the court."  17 Have I read that correctly?  18 A. Correct.  19 Q. Is it correct that 35 active  20 clients in the Akron Recovery Court program is  21 low?  22 A. That was my opinion, you know, at  23 that time.  24 Q. Does this refresh your recollection  25 that there were about 35 clients of the</p>	<p style="text-align: right;">Page 104</p> <p>1 A. I'm not aware of that, no.  2 MS. FLOWERS: Excuse me. Just for  3 the record, Counselors, I think that this  4 particular document, Exhibit 2, has some  5 people's names in it. I'd like to redact them  6 for purposes of HIPAA, if there's no objection.  7 I just -- there's two -- two people who are  8 being treated names I just would like to black  9 out.  10 MS. WU: Certainly. For the court  11 reporter, why don't we leave Exhibit 2 out of  12 the deposition record for the time being and we  13 can work it out later.  14 MS. FLOWERS: Thank you.  15 MS. WU: Thank you for pointing  16 that out.  17 Q. Mr. Sturmi, do you believe that the  18 recovery court offers any cost savings to the  19 City of Akron?  20 MS. LEYIMU: Object to the form.  21 A. I do.  22 Q. Could you describe the cost  23 savings?  24 A. Well, drug court, you know,  25 historically has -- has always championed</p>
<p style="text-align: right;">Page 103</p> <p>1 recovery court program in 2017?  2 MS. LEYIMU: Object to the form.  3 A. Certainly would appear that that  4 would be accurate because it's -- it's in the  5 e-mail that I authored.  6 Q. Why did you want to obtain  7 additional referrals for the recovery court?  8 A. Well, I think that we're -- we're  9 always looking to provide resources to clients  10 that are struggling with a substance abuse  11 disorder, so this was just an effort to reach  12 out to -- to make sure that we weren't missing  13 clients that could receive those services.  14 Q. In years such as 2017, when the  15 recovery court operates well below its target  16 population cap, does the recovery court operate  17 at a budget surplus?  18 A. Again, I'm not involved, you know,  19 in -- in the budget process, so the numbers  20 don't impact what we do in any way.  21 Q. Do you know if the recovery court  22 has to return funds where it performs below its  23 target population?  24 MS. LEYIMU: Object to the form of  25 the question.</p>	<p style="text-align: right;">Page 105</p> <p>1 themselves on reducing costs as it relates  2 primarily to incarceration. So you know, the  3 goal is to treat offenders as opposed to them  4 cycling in and out of jail or prisons.  5 Q. Have you ever attempted to quantify  6 the economic savings that the recovery court  7 offers Akron?  8 A. Not me personally. I know that  9 that process is attempted, you know, by various  10 entities, whether it's the National Drug Court  11 Institute or sheriffs, you know. So there's --  12 there's always an effort to -- to quantify  13 that, so I think the public is aware as to why  14 specialized dockets operate.  15 MS. WU: I'd like to mark as Sturmi  16 Exhibit 3 what I will represent is a printout  17 from the Akron Municipal Court website. For  18 that reason, it has no Bates stamp.  19 - - - - -  20 (Thereupon, Deposition Exhibit 3,  21 Web Printout Titled "Drug Court, A  22 Program Offered Through Akron  23 Municipal Court and Oriana House,  24 Inc.", was marked for purposes of  25 identification.)</p>



<p style="text-align: right;">Page 106</p> <p>1           - - - - -</p> <p>2       Q. Mr. Sturmi, are you familiar with</p> <p>3 the material identified as Exhibit 3?</p> <p>4       A. Yes.</p> <p>5       Q. What is it?</p> <p>6       A. It is an informational document</p> <p>7 that is placed on our court's website.</p> <p>8       Q. Now, if we turn to the second page</p> <p>9 of this printout of the website, it reads,</p> <p>10 "Incarceration of drug-using offenders costs</p> <p>11 approximately \$20,000 per person per year. In</p> <p>12 contrast, a comprehensive drug court system</p> <p>13 typically costs less than \$2,500 annually for</p> <p>14 each offender."</p> <p>15       Have I read that accurately?</p> <p>16       A. Yes.</p> <p>17       Q. Is this purported cost savings</p> <p>18 consistent with your own knowledge?</p> <p>19       MS. LEYIMU: Object to the form of</p> <p>20 the question.</p> <p>21       A. I don't have knowledge of these</p> <p>22 numbers because I didn't author it. I didn't</p> <p>23 draft it.</p> <p>24       Q. Do you have any reason to doubt the</p> <p>25 cost savings that are published on the recovery</p>	<p style="text-align: right;">Page 108</p> <p>1 the goal at that time was to provide a</p> <p>2 treatment court for offenders charged with</p> <p>3 those felony drug offenses and allow them and</p> <p>4 their cases to be transferred to the municipal</p> <p>5 court, which at the time was the only operating</p> <p>6 drug court in the state of Ohio.</p> <p>7       So the amendment would be made from</p> <p>8 an F4, an F5 to an M1, attempted drug abuse,</p> <p>9 and the client would plead guilty to that</p> <p>10 charge, but their sentence would be held in</p> <p>11 abeyance, and if they completed the drug court</p> <p>12 program, then that plea would be vacated and</p> <p>13 the case would be dismissed.</p> <p>14       Q. When did the felony reduction</p> <p>15 program of the recovery court end?</p> <p>16       A. Again, I don't have a specific</p> <p>17 recollection of -- of that. It was a few</p> <p>18 years, you know, after, you know, I started to</p> <p>19 manage, you know, the program. So the decision</p> <p>20 was made by the Summit County Court of Common</p> <p>21 Pleas that they wanted to start, you know, a</p> <p>22 drug court docket.</p> <p>23       So they then kept those F4s and F5s</p> <p>24 in the jurisdiction of, you know, where the</p> <p>25 case originated from, and, you know, there was</p>
<p style="text-align: right;">Page 107</p> <p>1 court website?</p> <p>2       MS. LEYIMU: Object to the form.</p> <p>3       A. I don't have any cause to think</p> <p>4 that it's inaccurate, but again, I didn't -- I</p> <p>5 didn't author it.</p> <p>6       Q. Do you know who did?</p> <p>7       A. I don't.</p> <p>8       Q. You mentioned earlier that the</p> <p>9 recovery court was originally -- originally a</p> <p>10 felony reduction program; is that correct?</p> <p>11       A. That's correct.</p> <p>12       Q. Could you describe what a felony --</p> <p>13 felony reduction program entails?</p> <p>14       A. If the offender was charged with a</p> <p>15 felony drug offense as determined by the Ohio</p> <p>16 Revised Code -- typically, at the time it was</p> <p>17 targeting F4s and F5s, and again, those are as</p> <p>18 defined by the Ohio Revised Code. There are</p> <p>19 five current felony desig- -- designations, so</p> <p>20 those are the, quote, "lower-level, non-violent</p> <p>21 offenses."</p> <p>22       In 1995 -- I wasn't a part of that</p> <p>23 at that time -- the determin- -- the</p> <p>24 determination was made to start, you know, the</p> <p>25 Akron Drug Court program. I believe, you know,</p>	<p style="text-align: right;">Page 109</p> <p>1 no amendment made by prosecutors. So, you</p> <p>2 know, those clients would no longer be referred</p> <p>3 to the Akron Municipal Court.</p> <p>4       Q. Was there a change in the target</p> <p>5 client population made after there was a change</p> <p>6 in the mission statement to stop the felony</p> <p>7 reduction program?</p> <p>8       MS. LEYIMU: Object to the form of</p> <p>9 the question.</p> <p>10       A. Yes, there was.</p> <p>11       Q. What was the adjustment?</p> <p>12       A. Well, we needed to be able to</p> <p>13 identify clients that were charged with</p> <p>14 misdemeanor drug offenses that were already in</p> <p>15 our jurisdiction to provide those services.</p> <p>16       Q. So did the target population</p> <p>17 decrease?</p> <p>18       MS. LEYIMU: Object to the form.</p> <p>19       A. I can't speak to whether it</p> <p>20 decreased. You know, we had to find a new</p> <p>21 creative way to help identify clients that were</p> <p>22 already in our court's jurisdiction that may be</p> <p>23 suffering from a drug issue.</p> <p>24       Q. Do you recall any change in the</p> <p>25 target population, which was based on a change</p>

<p style="text-align: right;">Page 110</p> <p>1 in the felony reduction program?</p> <p>2 MS. LEYIMU: Object to the form.</p> <p>3 A. I don't recall that ever being a</p> <p>4 part of those conversations. You know, we were</p> <p>5 still operating, you know, the drug court. We</p> <p>6 just needed to change the way that we</p> <p>7 identified, screened for, and potentially had</p> <p>8 clients enter the program.</p> <p>9 Q. If we look back at Exhibit 3,</p> <p>10 Mr. Sturmi, I'd like to call your attention to</p> <p>11 the history of the -- the drug court.</p> <p>12 A. Uh-huh.</p> <p>13 Q. It says, "It is a collaborative</p> <p>14 effort between Summit County courts, the Akron</p> <p>15 Police Department, the Akron prosecutor's</p> <p>16 office, the public defender's office, the Akron</p> <p>17 municipal probation department, the Summit</p> <p>18 County Alcohol, Drug Abuse and Mental Health</p> <p>19 Board and Oriana House, Inc."; is that correct?</p> <p>20 A. Yes, that's correct.</p> <p>21 Q. What is the nature of the</p> <p>22 relationship between the recovery court and the</p> <p>23 Summit County ADM Board?</p> <p>24 MS. LEYIMU: Object to the form.</p> <p>25 A. Our relationship, you know, with</p>	<p style="text-align: right;">Page 112</p> <p>1 A. No. I don't -- I don't view the</p> <p>2 recovery court itself as a, quote, "treatment</p> <p>3 agency."</p> <p>4 Q. What qualifies as a treatment</p> <p>5 agency?</p> <p>6 A. I would identify a treatment agency</p> <p>7 as an alcohol and drug treatment program that</p> <p>8 is licensed, certified by the Ohio Department</p> <p>9 of Mental Health and Addiction Services, or</p> <p>10 OMHAS.</p> <p>11 Q. What treatment services, if any,</p> <p>12 does the recovery court provide its clients?</p> <p>13 A. We make referrals to treatment</p> <p>14 agencies. We're not in the business of -- of</p> <p>15 providing treatment directly to clients.</p> <p>16 Q. To which treatment agencies do you</p> <p>17 currently refer recovery court clients?</p> <p>18 A. We have a number of treatment</p> <p>19 agencies that we refer, you know, here in</p> <p>20 Summit County.</p> <p>21 Q. Could you identify those treatment</p> <p>22 service providers?</p> <p>23 A. Sure. The Summit County Public</p> <p>24 Health District, Akron UMADAOP, the Community</p> <p>25 Health Center, Oriana House, Inc., IBH</p>
<p style="text-align: right;">Page 111</p> <p>1 the ADM Board, you know, has primarily been one</p> <p>2 of assistance, guidance. Certainly, the ADM</p> <p>3 Board, they're a funding source for treatment</p> <p>4 agencies in Summit County. They fund certain</p> <p>5 programs for the Oriana House, Inc. So, you</p> <p>6 know, my understanding is that the Summit</p> <p>7 County ADM Board provides funding to the Oriana</p> <p>8 House, Inc., for the services that they</p> <p>9 provide.</p> <p>10 Q. And is that funding provided for</p> <p>11 recovery court clients?</p> <p>12 A. Yes. It's based upon, you know,</p> <p>13 the number of clients that we serve, you know,</p> <p>14 and the Oriana House, you know, reports those</p> <p>15 numbers to the ADM Board.</p> <p>16 Q. Do you consider the recovery court</p> <p>17 a treatment agency?</p> <p>18 MS. LEYIMU: Object to the form.</p> <p>19 A. Could you repeat the question,</p> <p>20 please?</p> <p>21 Q. Certainly. You mentioned treatment</p> <p>22 agencies in your prior response, correct?</p> <p>23 A. Correct.</p> <p>24 Q. Do you consider the recovery court</p> <p>25 itself to be a treatment agency?</p>	<p style="text-align: right;">Page 113</p> <p>1 Addiction Treatment Services, Summa Health</p> <p>2 hospital.</p> <p>3 Those are the main, you know,</p> <p>4 treatment bodies. There are others, but those</p> <p>5 are the ones that are coming to my</p> <p>6 recollection.</p> <p>7 Q. I'd like to -- I'm going to go</p> <p>8 through a list. I'm going to ask you to unpack</p> <p>9 some of these acronyms for me.</p> <p>10 A. Sure.</p> <p>11 MS. WU: So we're going to mark as</p> <p>12 Exhibit 4 AKRON 001115119.</p> <p>13 - - - - -</p> <p>14 (Thereupon, Deposition Exhibit 4,</p> <p>15 January 2016 E-Mail Chain Re:</p> <p>16 Follow-Up on Treatment Providers,</p> <p>17 AKRON_001115119 to 001115122, was</p> <p>18 marked for purposes of</p> <p>19 identification.)</p> <p>20 - - - - -</p> <p>21 Q. Mr. Sturmi, what is Exhibit 4?</p> <p>22 A. It's an e-mail communication.</p> <p>23 Q. If I can call your attention to the</p> <p>24 second e-mail, which appears on 5119, and</p> <p>25 that's the second e-mail reading from the top</p>



<p style="text-align: right;">Page 114</p> <p>1 of the page. It's an e-mail dated January 5,  2 2016, from you to Brooke Singletary, among  3 others; is that correct?  4 A. Yes, that's correct.  5 Q. Who -- who is Brooke Singletary?  6 A. My recollection of Ms. Singletary  7 is she worked for a company called TRI, and the  8 Akron Recovery Court had received a funding  9 through OMHAS for a program called the  10 Addiction Treatment Program or ATP. And  11 Ms. Singletary was responsible for collecting  12 data, you know, for OMHAS. So OMHAS hired, you  13 know, TRI to essentially be the -- the data  14 keepers, you know, for that particular funding  15 project.  16 Q. I'm going to ask for a little bit  17 of help here. So what is the organiza- --  18 organization you've referred to as OMHAS?  19 A. It's the Ohio Department of Mental  20 Health and Addiction Services. So it's the  21 state agency here in Ohio that licenses, you  22 know, administers both substance abuse and  23 mental health treatment, you know, in the state  24 of Ohio.  25 Q. And you mentioned TRI. What's TRI?</p>	<p style="text-align: right;">Page 116</p> <p>1 recovery court have with the ATP?  2 A. We provide -- we continue to -- to  3 be a part of that project, so we have some  4 reporting requirements. Individuals that meet  5 that criteria that are diagnosed with an opiate  6 use disorder or alcohol use disorder are  7 automatically added to that project.  8 So Mr. Krutko, you know, who is,  9 again, a colleague and assistant of mine, you  10 know, one of his job duties is to comply with  11 that reporting requirement, to identify clients  12 that enter the Akron Recovery Court that meet  13 that diagnosis.  14 Q. What services do recovery court  15 clients obtain through the ATP program?  16 A. It has changed, you know, over the  17 year- -- well, the last couple years. And so  18 while it initially was specific to  19 medication-assisted treatment for primarily  20 individuals that were not receiving Medicaid,  21 they would pay, you know, for, you know, that  22 medication. Now it has expanded to include  23 additional recovery resources.  24 Those recovery resources are  25 somewhat broad. The way it works is if a</p>
<p style="text-align: right;">Page 115</p> <p>1 A. That's an acronym for Treatment  2 Research Institute, and that is whom  3 Ms. Singletary works for.  4 Q. TRI is not an Akron entity,  5 correct?  6 A. That's correct.  7 Q. You also mentioned ATP. What does  8 ATP refer to?  9 A. So that's an acronym for Addiction  10 Treatment Program.  11 Q. What is the Addiction Treatment  12 Program?  13 A. So the ATP program, you know,  14 started approximately, you know, three, maybe  15 four years ago. It was a pilot program that,  16 again, was under OMHAS. Summit County was one  17 county that was identified to receive, you  18 know, this particular, you know, program.  19 Essentially, initially what it was,  20 it provided financial assistance to refer  21 clients that were diagnosed with an opiate use  22 disorder or an alcohol use disorder for  23 possible assistance with medication-assisted  24 treatment.  25 Q. What involvement, if any, does the</p>	<p style="text-align: right;">Page 117</p> <p>1 client is in ATP, you know, identified person  2 and they enter the Akron Recovery Court, the  3 treatment agency that provides their treatment  4 can bill the ATP project for a variety of  5 services.  6 Q. Does the recovery court have any  7 funding obligations for the ATP program?  8 MS. LEYIMU: Object to the form.  9 A. Do we have a funding requirement --  10 in other words, are you asking me do we pay  11 them?  12 Q. Correct. Does the recovery court  13 expend any funds --  14 A. We do not.  15 Q. -- in order to participate --  16 participate with the ATP program?  17 A. We do not.  18 Q. So looking back at Exhibit 4, I'd  19 like to look at the list of outpatient  20 treatment agencies.  21 A. Okay.  22 Q. What's referenced as outpatient  23 treatment agencies?  24 A. I'm sorry. So you're asking me  25 what is an outpatient treatment agency as a</p>

<p style="text-align: right;">Page 118</p> <p>1 general, or are you asking me specific to these 2 listed agencies? 3 Q. Certainly. Mr. Sturmi, in your 4 e-mail, you identify a list of outpatient 5 treatment agencies, correct? 6 A. Yes, uh-huh. 7 Q. What are those outpatient treatment 8 agencies? 9 A. The Oriana House, Inc., Rigel 10 Recovery Service- -- Services, Summit 11 Psychological Associates, the Community Health 12 Center, the Summit County Public Health 13 District, Akron UMADAOP, and Akron General 14 Edwin Shaw Rehabilitation Hospital. 15 Q. And I believe that's the same list 16 that you had just recited to me a few moments 17 ago, with the exception of Akron General Edwin 18 Shaw Rehabilitation Hospital; is that right? 19 A. Correct. My recollection is they 20 removed themselves, you know, as a provider for 21 ATP, because it was sold to the Cleveland 22 Clinic. 23 Q. What is the nature of the 24 relationship between the recovery court and the 25 outpatient treatment agencies listed on</p>	<p style="text-align: right;">Page 120</p> <p>1 City of Akron has contracts with. 2 Q. And those contracts are separate 3 from the recovery court; is that correct? 4 A. That's correct. 5 Q. Also, looking at your e-mail on 6 Exhibit 4, there's a list of residential 7 treatment agencies. Do you see that, 8 Mr. Sturmi? 9 A. I do, yes. 10 Q. What are the entities listed as 11 residential treatment agencies on Exhibit 4? 12 A. There are just two. IBH, or 13 Interval Brotherhood Home. They're now called 14 IBH Addiction Services. And then the second is 15 RAMAR, which is an acronym for a gentleman that 16 I think, you know, funded the actual facility 17 where RAMAR sits, but RAMAR is owned and 18 operated by the Community Health Center. 19 Q. And again, what is the nature of 20 the relationship between the recovery court and 21 these residential treatment agencies listed on 22 Exhibit 4? 23 A. If a client was in the Akron 24 Recovery Court and they were deemed to be in 25 need of residential care, these are the two</p>
<p style="text-align: right;">Page 119</p> <p>1 Exhibit 4? 2 A. I'm not sure what you mean by that. 3 Relationship as far as what is our involvement 4 with them? 5 Q. Yes. What is your involvement with 6 the outpatient treatment agencies that you've 7 listed here on Exhibit 4? 8 A. Sure. It is -- 9 MS. LEYIMU: Object to the form. 10 You can answer. 11 A. If a client, you know, who enters 12 the Akron Recovery Court is recommended for an 13 outpatient level of care, then this is 14 typically one of the agencies that we would 15 refer them to. 16 Q. Are these the agencies that provide 17 direct care services to the recovery court 18 client population? 19 A. They are. 20 Q. Do you fund the agencies listed on 21 Exhibit 4, the outpatient treatment agencies? 22 MS. LEYIMU: Object to the form. 23 A. I don't have any knowledge that we 24 fund any of these agencies with anything, other 25 than the Oriana House, Incorporated, whom the</p>	<p style="text-align: right;">Page 121</p> <p>1 agencies that we could refer them to. So those 2 clients could potentially enter and receive 3 services at this residential treatment agency. 4 Q. So is it correct that the recovery 5 court outsources all addiction direct care 6 services for its client population? 7 MS. LEYIMU: I'll object to the 8 form of the question. 9 A. Yes. We -- we do not provide 10 direct services through the Akron Municipal 11 Court or our probation department. 12 Q. And is it correct that the recovery 13 court provides no funding to these outside -- 14 outside entities? 15 MS. LEYIMU: Object to the form. 16 A. That's my understanding, yes. 17 MS. LEYIMU: Is this a good 18 stopping point? Been going for a little over 19 an hour. 20 MS. WU: Sure. Okay, sure, we can 21 go off the record. 22 THE VIDEOGRAPHER: Off the record 23 at 11:41 a.m. 24 (A recess was taken.) 25 - - - - -</p>

<p style="text-align: right;">Page 122</p> <p>1 (Thereupon, Deposition Exhibit 5, 2 11/22/2016 E-Mail from Jeff Sturmi 3 Re: SAMSHA Enhancement Drug Court 4 Grant, AKRON_001103385 to 001103387, 5 was marked for purposes of 6 identification.) 7 - - - - - 8 THE VIDEOGRAPHER: Back on the 9 record at 12:13 p.m. 10 BY MS. WU: 11 Q. Mr. Sturmi, the court reporter has 12 marked as Exhibit 5 a document marked as AKRON 13 001103385. Do you have that document? 14 A. I do. 15 Q. Do you recognize the document? 16 A. I'm just going to review it for a 17 couple minutes. 18 Q. Yes. 19 A. Okay. 20 Q. What is Exhibit 5? 21 A. It's an e-mail with an attached 22 document. 23 Q. Am I correct that the e-mail is 24 from you to Judge Oldfield? 25 A. That's correct, yes.</p>	<p style="text-align: right;">Page 124</p> <p>1 education and programming. 2 Q. Did the recovery court in fact 3 complete an application for SAMHSA funding in 4 2016? 5 A. We did. 6 Q. Did you receive SAMHSA funding 7 in -- in response to that application? 8 A. We did. 9 Q. How much funding did you receive -- 10 receive through the SAMHSA enhancement grant? 11 MS. LEYIMU: Object to the form. 12 A. Again, I wasn't party to the 13 discussions on -- on the exact amounts of that. 14 My recollection was, you know, it was, I 15 believe, a three-year grant, and the grant was 16 for roughly a total of 1 -- \$1 million, in 17 that -- in that area. 18 Q. Were you involved in obtaining the 19 SAMHSA grant? 20 MS. LEYIMU: Object to the form. 21 A. Only in the extent that I attended 22 an occasional meeting to discuss, you know, the 23 process of that grant, but I did not 24 participate in the grant writing. 25 Q. Prior to 2016, were SAMHSA funds</p>
<p style="text-align: right;">Page 123</p> <p>1 Q. And it's dated November 22, 2016; 2 is that right? 3 A. It is, yes. 4 Q. There's also a copy on this e-mail, 5 Julie Ellison; is that right? 6 A. Correct. 7 Q. Who is Ms. Ellison? 8 A. Ms. Ellison was Judge Oldfield's 9 personal bailiff. 10 Q. The subject of the e-mail is 11 "SAMHSA enhancement drug court grant." What is 12 the SAMHSA enhancement drug court grant? 13 A. SAMHSA, you know, had provided a 14 grant opportunity for existing drug courts that 15 were looking to enhance their services. So 16 basically our court, as well as the Turning 17 Point Program, which is the felony drug court 18 program, had made a decision to apply for that 19 SAMHSA grant. 20 Q. What is SAMHSA? 21 A. So SAMHSA is the federal substance 22 abuse mental health treatment agency. Or, you 23 know, I shouldn't say treatment agency, but 24 they're -- they're basically the federal agency 25 that operates substance abuse, mental health</p>	<p style="text-align: right;">Page 125</p> <p>1 available to the Akron Recovery Court? 2 MS. LEYIMU: Object to the form. 3 A. I think that SAMHSA grants are 4 always available, you know, to public entities 5 that wish to apply. 6 Q. Prior to 2016 had the recovery 7 court ever applied to obtain SAMHSA funds? 8 MS. LEYIMU: Object to the form. 9 A. I don't have a recollection, you 10 know, of the Akron Recovery Court applying for 11 any such grant. 12 Q. If I can call your attention to the 13 attachment to the e-mail in Exhibit 5, it's 14 marked AKRON 001103386. 15 A. Yes. 16 Q. Are you familiar with this portion 17 of the document? 18 A. Yes. 19 Q. What is it? 20 A. Again, my recollection was that the 21 SAMHSA grant required this document as part -- 22 as part of the application process. So I was 23 assisting Judge Oldfield with completing this 24 particular task that was given to me by the 25 grant writers.</p>

<p style="text-align: right;">Page 126</p> <p>1 Q. Who was primarily responsible for 2 preparing the SAMHSA grant application? 3 A. The Oriana House, Incorporated. 4 Q. Who made the decision that the 5 Akron Recovery Court would apply for the SAMHSA 6 grant? 7 A. I wasn't a party to those 8 discussions, so I really can't answer that 9 question. 10 Q. Would Judge Oldfield have that 11 knowledge? 12 MS. LEYIMU: Object to the form. 13 A. I don't know. 14 Q. If I can call your attention to the 15 last paragraph on the -- this page ending 3386. 16 A. Okay. 17 Q. The second sentence reads, "The 18 probation officer is familiar with the need for 19 data collection and experienced in using data 20 collection tools such as Excel databases. 21 Databases for screening and eligibility are 22 currently updated by the probation officer on a 23 weekly basis. The ARC court also has reporting 24 capabilities through the use of its proprietary 25 database for offender information."</p>	<p style="text-align: right;">Page 128</p> <p>1 A. Not to my knowledge. 2 Q. Do you use any databases in your 3 work in connection with the recovery court? 4 MS. LEYIMU: Object to the form. 5 A. The Akron Municipal Court probation 6 department operates a database that is, I 7 believe, owned and operated by CourtView. 8 Initially it was called GBS, and I believe they 9 were purchased by CourtView. 10 But that is our, you know, database 11 that we utilized -- that we utilize primarily 12 for probation notes. So if any client that is 13 placed on probation, which would include 14 recovery court, is entered, you know, into that 15 database, a picture of the client, you know, is 16 attached, and then a running chronology of 17 notes, you know, would be generated. 18 Q. Do you believe that's the prop- -- 19 proprietary database referenced in the SAMHSA 20 Grant application? 21 MS. LEYIMU: Object to the form. 22 A. I didn't author it, so I can't 23 speak to that. I have no knowledge of that. 24 Q. Do you know who authored this draft 25 that you sent to Judge Oldfield?</p>
<p style="text-align: right;">Page 127</p> <p>1 Mr. Sturm, what is the proprietary 2 database referenced in this SAMHSA grant 3 application? 4 MS. LEYIMU: Object to the form. 5 A. I -- I don't know. 6 Q. Who is the probation officer 7 identified in this SAMHSA Grant application as 8 having data collection responsibilities? 9 MS. LEYIMU: Object to the form. 10 A. I believe it's referring to me. 11 Q. What data collection 12 responsibilities do you have? 13 A. Very limited data responsibilities 14 specific to me. The Oriana House, 15 Incorporated, has data that is required, and 16 they are the primary data keepers, you know, 17 and have historically been so. 18 Q. Do you, as the probation officer 19 identified in the SAMHSA application, use a 20 proprietary database -- 21 MS. LEYIMU: Objection. 22 Q. -- in connection with your recovery 23 court work? 24 MS. LEYIMU: Object to the form of 25 the question.</p>	<p style="text-align: right;">Page 129</p> <p>1 A. My recollection was that it was, 2 you know, provided to me by the grant writers 3 from the Oriana House, Incorporated. 4 Q. Who at Oriana House participated in 5 the grant-writing process? 6 MS. LEYIMU: Object to the form. 7 A. The main individual that -- that I 8 have worked with, and who is present in 9 recovery court sessions on a somewhat regular 10 basis now, his name is Alex Dorman. 11 Q. What is Mr. Dorman's position? 12 A. I don't know what his title is, but 13 I know that his primary job responsibilities 14 are -- are grant writing and research. 15 Q. What type of research does 16 Mr. Dorman conduct? 17 A. I can't speak to that. 18 Q. You mentioned that Oriana House is 19 the primary data keep- -- keeper for the 20 recovery court; is that right? 21 A. That's correct. 22 Q. What types of data does Oriana 23 House maintain for recovery court clients? 24 MS. LEYIMU: Object to the form. 25 A. They would keep data as it relates</p>



<p style="text-align: right;">Page 130</p> <p>1 to the number of clients that are screened for  2 the program, the number of clients that  3 declined the program, number of clients that  4 were found ineligible for the program,  5 certainly clients that are admitted to the  6 program, and then general tracking data as far  7 as retention success rates, graduation, you  8 know, rates, that type of data.  9 Q. Do you have access to that data  10 maintained by Oriana House for the recovery  11 court?  12 MS. LEYIMU: Object to the form of  13 the question.  14 A. I have access to it, so if I have  15 specific data questions, then, yes, I would  16 contact the Oriana House to make whatever  17 request, you know, was necessary.  18 Q. Do you know in what format they  19 maintain the recovery court data?  20 MS. LEYIMU: Object to the form.  21 A. I have no knowledge of what their  22 database is or their capabilities.  23 Q. Does Oriana House have any  24 requirements for providing reports to the  25 recovery court?</p>	<p style="text-align: right;">Page 132</p> <p>1 substance abuse and a mental health disorder.  2 Q. Do you know what proportion of the  3 current recovery court population would qualify  4 as dually diagnosed?  5 MS. LEYIMU: Object to the form.  6 A. I would say a lot.  7 Q. Could you give us a percentage?  8 MS. LEYIMU: Object to the form.  9 A. It would be difficult for -- for me  10 to -- to give a percentage, but I would say  11 it's the majority. It's a lot.  12 Q. Where would that dual diagnosis be  13 reported?  14 MS. LEYIMU: Object to the form.  15 A. Primarily the initial assessment,  16 which not only provides a diagnosis of a  17 person's substance abuse, but it would also  18 provide a diagnosis for mental health disorder.  19 Q. Does the recovery court provide  20 referrals for mental health services in  21 addition to addiction treatment services?  22 A. We --  23 MS. LEYIMU: Object to the form.  24 You can answer.  25 A. We do.</p>
<p style="text-align: right;">Page 131</p> <p>1 MS. LEYIMU: Object to the form.  2 A. I'm not aware of specific  3 requirements other than, you know, if the judge  4 or myself, you know, requests data, that it's  5 provided in a timely manner.  6 Q. To whom do you make data requests  7 at Oriana House?  8 A. Typically to Emily Beers, who is  9 the Oriana House program manager for drug  10 court.  11 Q. Now, Mr. Sturmi, if I could ask you  12 to turn to the next page, which ends in 3387.  13 A. Okay.  14 Q. About halfway through the last  15 paragraph it says, "Many of our clients are  16 dually diagnosed and so we welcome the  17 opportunity to partner with our Summit County  18 mental health treatment providers."  19 Have I read that correctly?  20 A. Yes.  21 Q. How do you understand the reference  22 to dually diagnosed?  23 MS. LEYIMU: Object to the form.  24 A. My understanding of that term would  25 be someone that is diagnosed with both a</p>	<p style="text-align: right;">Page 133</p> <p>1 Q. Who are the providers with whom you  2 partner for mental health services?  3 A. It's expanded, you know, over the  4 years. Primarily in Summit County, it's two  5 agencies. Community Support Services, they  6 primarily work with clients that have a severe  7 or serious mental health disorder. The second  8 agency that we work with quite a bit is called  9 Portage Path Behavioral Health, but there have  10 been some additional vendors that have started  11 to be added to the Akron area.  12 Q. In connection with your work for  13 the recovery court, have you kept any data  14 which tracks the number of clients who are  15 dually diagnosed with addiction and mental  16 health illness?  17 MS. LEYIMU: Object to the form of  18 the question.  19 A. Not to my knowledge, no.  20 Q. Do you know where we could look if  21 we wanted to find that information?  22 MS. LEYIMU: Object to the form.  23 A. I'm not aware, you know, of -- of  24 where that particular, you know, data could be  25 obtained, other than, you know, the Oriana</p>

<p style="text-align: right;">Page 134</p> <p>1 House, you know, Incorporated. Again, if the 2 client is diagnosed with a mental health 3 disorder, that would be recorded on their 4 substance abuse assessment. 5 Q. Are you aware of any literature 6 which links substance abuse with mental 7 illness? 8 MS. LEYIMU: Object to the form of 9 the question. 10 A. I'm not sure what you mean by that. 11 Q. Are you aware of any literature 12 which finds a cause between mental health 13 illnesses and addiction? 14 MS. LEYIMU: Object to the form of 15 the question. 16 A. I'm not aware of any specific 17 documentation. I think that there's general 18 consensus that often those run hand in hand. 19 Q. And when you reference general 20 consensus, whose consensus are you referencing? 21 MS. LEYIMU: Object to the form. 22 A. Oh, the various training workshops, 23 you know, that I've attended, you know, have 24 spoken to that. Just by my experience by 25 interviewing the number of clients that I've</p>	<p style="text-align: right;">Page 136</p> <p>1 consistently, constantly asking questions with 2 our clients to determine their needs, because 3 their needs change. Their needs change from 4 the date of the assessment to the next month 5 and the month thereafter. 6 So that is where, you know, I base 7 that response on. 8 Q. Over what period of time have you 9 observed an increase in the needs of the 10 recovery court population? 11 A. Well, I don't think, you know, 12 from -- from my perspective, my opinion is 13 they've significantly increased since we've had 14 to deal with the opiate epidemic that is 15 present here in Summit County. 16 Q. What do you mean by "opiate 17 epidemic" in that last response? 18 A. As our -- as numbers -- well, just 19 in reference to when the Summit County ADM 20 Board and our treatment providers started to 21 see a significant increase in the amount of 22 clients that we serve with an opiate use 23 disorder, as that related to increase in 24 arrests, as that related to, sadly, a huge 25 increase in overdose and deaths in Summit</p>
<p style="text-align: right;">Page 135</p> <p>1 interviewed, seeing the increase in high-risk, 2 high-need offenders whom we are targeting, you 3 know, in recovery court. The clients that 4 we're serving today are much more in need of 5 services than they were 10 years ago. 6 Q. To what do you account that 7 increase in the need for services in the 8 recovery court client population? 9 A. At the present time? 10 Q. Well, do you track the reason for 11 increases in client needs? 12 A. Not -- 13 MS. LEYIMU: Object to the form of 14 the question. 15 A. Not in a -- in a data-related 16 manner, but certainly in the multitude of 17 interviews that me and our staff conducts, you 18 know, that's certainly always a part of those 19 questions. 20 Q. So you're talking about an 21 impressionistic view of the increase in needs; 22 is that right? 23 MS. LEYIMU: Object to the form. 24 A. What I would say is myself and 25 members of our recovery court team are</p>	<p style="text-align: right;">Page 137</p> <p>1 County, that -- that information, obviously, 2 was available, and once it started to become an 3 issue, then our county, you know, helped, you 4 know, to -- to identify that. 5 Q. Was there ever a time that opiate 6 use, to use your term, was not a problem in 7 Akron? 8 MS. LEYIMU: Object to the form. 9 A. I'm sure there's always been some 10 level of an opiate, you know, use issue in 11 Summit County. However, that dramatically 12 changed here in Summit County, you know, 13 roughly six years ago, in that ballpark, we 14 started to see those increases. 15 In particular, you know, the Summit 16 County ADM Board formed an Opiate Task Force. 17 I believe that started in 2014. So that was a 18 pretty clear sign, you know, when the agency 19 that is charged with that task to help all of 20 our treatment providers, when they formed the 21 Summit County Opiate Task Force, that was a 22 clue, you know, that we had a major issue going 23 on. 24 Q. What is the dramatic change that 25 happened around 2012 that you referenced in</p>

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1 your last answer?

2 MS. LEYIMU: Object to the form of

3 the question.

4 A. I would say when courts, treatment

5 agencies started to identify more and more

6 clients that were coming to their attention for

7 having an opiate use disorder, that was

8 exacerbated by overdose, whether that client

9 lived or died, you know. So data has always

10 been received by the -- by the coroner's

11 office, but that information started that

12 process.

13 Q. What data are you referring to

14 which reflects an increase in the number of

15 individuals with an opiate use disorder?

16 MS. LEYIMU: Object to the form.

17 A. The data that -- that I would --

18 would come back to is, again, the countless

19 interviews that I've conducted or our recovery

20 court staff have conducted with clients that

21 are reporting opiate use disorders.

22 Combine that with arrest rates,

23 charges, and in particular, overdose data,

24 that's what led, I would think, the Summit

25 County ADM Board, you know, to sound the alarm.

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1 Q. When you said the Summit County ADM

2 Board sounded the alarm, what specific actions

3 are you referencing?

4 A. The -- the start of -- of the

5 Summit County Opiate Task Force.

6 Q. Other than the start of the Summit

7 County Opiate Task Force, what facts do you

8 reference in connection with your statement

9 that the opiate epidemic started in 2012?

10 MS. LEYIMU: Object to the form.

11 A. Again, I would just come back to

12 what I've already indicated. You know, we saw

13 a marked increase in arrests. We saw a marked

14 increase in clients that were reporting opiate

15 use disorders. And that information, you know,

16 was supported by data that we received from

17 Summit County ADM Board as it related to

18 overdoses.

19 Q. Mr. Sturm, you mentioned a marked

20 increase in arrests. Do you mean arrests

21 related to opioid substances?

22 A. Certainly in some occasions, yes.

23 Q. Where would we look at data which

24 tracks an increase in arrests related to opioid

25 encounters?

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1 MS. LEYIMU: Object to the form.

2 A. I would think the Akron Police

3 Department or the Akron Municipal Court's

4 Information System. We term that as AMCIS.

5 Q. Do you personally have access to

6 AMCIS?

7 A. Yes.

8 Q. To your knowledge, does AMCIS

9 categorize law enforcement encounters by the

10 type of drug involved?

11 A. No, not to my knowledge. It's a --

12 it's an older, somewhat antiquated database.

13 Q. So if we wanted to verify the

14 number of arrests that involved an opioid

15 substance, how would we do that?

16 MS. LEYIMU: Object to the form of

17 the question.

18 A. That would be a question you'd have

19 to ask an IT person.

20 Q. Do you know of any system to which

21 you have access, which tracks law enforcement

22 encounters based on the drug involved?

23 MS. LEYIMU: Object to the form.

24 You can answer.

25 A. I don't have knowledge of that, no.

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1 Q. You also mentioned reported opioid

2 use disorders by clients. Can you identify any

3 aggregate data source which reflects the number

4 of reported opioid -- op- -- excuse me, opioid

5 use disorders by recovery court clients?

6 MS. LEYIMU: Object to the form of

7 the question.

8 A. Not a specific database, no.

9 Q. Is there anywhere that we could

10 look in order to identify the number of

11 recovery court reported -- recovery court

12 client opioid use disorders?

13 MS. LEYIMU: Object to the form.

14 A. I can't speak to whether the Oriana

15 House does or does not track that information.

16 Q. Does the recovery court track that

17 information?

18 A. Not specifically, no.

19 Q. Does it generally?

20 MS. LEYIMU: Object to the form.

21 A. Not at the present time.

22 Q. The last data source that you

23 referenced was ADM overdose death reports; is

24 that right?

25 A. That's correct.



<p style="text-align: right;">Page 142</p> <p>1 Q. How is that information reported?</p> <p>2 A. The Summit County Public Health</p> <p>3 district collects that data in -- in</p> <p>4 communication with the Summit County medical</p> <p>5 examiner's office.</p> <p>6 Q. Does the overdose data maintained</p> <p>7 by ADM identify the drugs involved in the</p> <p>8 overdose?</p> <p>9 MS. LEYIMU: Object to the form.</p> <p>10 A. I can't speak to that. You'd have</p> <p>11 to, you know, inquire with, you know, the</p> <p>12 agencies that oversee that data.</p> <p>13 Q. Are there any other sources of data</p> <p>14 which lead you to formulate your opinion that</p> <p>15 the opioid -- opiate epidemic began in 2012?</p> <p>16 MS. LEYIMU: Object to the form.</p> <p>17 A. I use that as a benchmark. It's</p> <p>18 very difficult to look at a calendar and</p> <p>19 pinpoint a specific day, you know, that, you</p> <p>20 know, this particular issue, you know, started</p> <p>21 in our community.</p> <p>22 But as -- as I look at, you know,</p> <p>23 the calendar and looking at those other factors</p> <p>24 in speaking with the various colleagues that I</p> <p>25 work with, and the fact that the Summit County</p>	<p style="text-align: right;">Page 144</p> <p>1 work -- well, I started in '96, you know, so</p> <p>2 you're saying late 1990s?</p> <p>3 Q. Correct.</p> <p>4 A. Okay. I wasn't aware, in the first</p> <p>5 two or three years of my career with the City</p> <p>6 of Akron, that it was a specific, you know,</p> <p>7 problem that it is -- or what I perceive it to</p> <p>8 be -- today or in the recent past years.</p> <p>9 Q. But as a probation officer in the</p> <p>10 late 1990s in Summit County, you had encounters</p> <p>11 with clients who used opioids, correct?</p> <p>12 MS. LEYIMU: Object to the form.</p> <p>13 A. I had clients that -- that used any</p> <p>14 number, you know, of substances, and opiates,</p> <p>15 you know, certainly was one of them.</p> <p>16 Q. In the -- the data sources that you</p> <p>17 referenced, do you know if there's any</p> <p>18 reporting or distinction drawn between</p> <p>19 prescription opioids and non-prescription</p> <p>20 opioids?</p> <p>21 MS. LEYIMU: Object to the form.</p> <p>22 A. I'm not aware of any specific tool</p> <p>23 that identifies that.</p> <p>24 Q. Is that -- is that distinction</p> <p>25 between prescription opioids and</p>
<p style="text-align: right;">Page 143</p> <p>1 ADM Board started an Opiate Task Force in 2014,</p> <p>2 you know, that's where I base that information</p> <p>3 from.</p> <p>4 Q. Earlier today you testified that</p> <p>5 when you worked as a juvenile probation</p> <p>6 officer, you had clients that abused opioids;</p> <p>7 is that correct?</p> <p>8 MS. LEYIMU: Object to the form of</p> <p>9 the question.</p> <p>10 A. That's my recollection, yes.</p> <p>11 Q. Do you believe that there was a</p> <p>12 problem with opioid abuse in Akron in the late</p> <p>13 1990s?</p> <p>14 MS. LEYIMU: Object to the form of</p> <p>15 the question.</p> <p>16 A. I can't speak to that because I</p> <p>17 didn't work for the City of Akron at that time.</p> <p>18 Q. I -- I apologize. Let me rephrase</p> <p>19 that question.</p> <p>20 Do you believe that there was a</p> <p>21 problem with opioid abuse in Summit County in</p> <p>22 the late 1990s?</p> <p>23 MS. LEYIMU: Object to the form of</p> <p>24 the question.</p> <p>25 A. Again, I -- I didn't -- I didn't</p>	<p style="text-align: right;">Page 145</p> <p>1 non-prescription opioids important to your work</p> <p>2 with the recovery court?</p> <p>3 MS. LEYIMU: Object to the form.</p> <p>4 A. I think that any information that</p> <p>5 we glean from our clients is -- is helpful</p> <p>6 as -- as we determine the best way to provide</p> <p>7 services to them.</p> <p>8 So knowing whether they started,</p> <p>9 you know, with prescription medication or</p> <p>10 medications that they purchased on the street</p> <p>11 is -- is helpful, you know, to our team.</p> <p>12 Q. Do you have any system for tracking</p> <p>13 the number of clients that were introduced to</p> <p>14 prescription opioids with a valid prescription?</p> <p>15 MS. LEYIMU: Object to the form.</p> <p>16 A. Not a specific, you know,</p> <p>17 instrument that we use or a data collection</p> <p>18 tool, no.</p> <p>19 Q. Is there a gener- -- general data</p> <p>20 collection tool you use?</p> <p>21 A. Not that I'm aware of, no.</p> <p>22 MS. WU: All right. So I'd like to</p> <p>23 mark -- have the court reporter mark as</p> <p>24 Exhibit 6, AKRON 001109379.</p> <p>25 - - - - -</p>

<p style="text-align: right;">Page 146</p> <p>1 (Thereupon, Deposition Exhibit 6, 2 2/22/2011 E-Mail Chain Re: Drug 3 Information, with Attached Document 4 Titled "Drug Abuse Trends in the 5 Akron-Canton Region," 6 AKRON_001109379 to 001109392, was 7 marked for purposes of 8 identification.) 9 - - - - - 10 MS. FLOWERS: What number is this? 11 MS. WU: Six. 12 Q. Mr. Sturm, are you familiar with 13 the document marked as Exhibit 6? 14 A. Yes. 15 Q. What is it? 16 A. The State of Ohio operates OSOM, 17 which is an acronym for Ohio Substance Abuse 18 Monitoring, that collects data from any number 19 of sources. I can't speak to how its 20 collected. But it's shared with criminal 21 justice professionals in an effort to show 22 trends of drug or drug use that may be 23 occurring in -- in, you know, different 24 jurisdictions in the state of Ohio. 25 Q. And looking at the first page of</p>	<p style="text-align: right;">Page 148</p> <p>1 and position. 2 A. Okay. So this was an e-mail that I 3 simply forwarded to the Akron probation 4 department staff at that time. 5 Elizabeth Delagrange, she was our 6 secretary. 7 Matt Esterle was an Akron City 8 probation officer. 9 Lori Florin was an Akron City 10 probation officer. 11 Jill Forster was an Akron City 12 probation officer. 13 Tony Ingram is our chief probation 14 officer. 15 Hanne Muri was a probation 16 assistant. 17 Staci Rouse, you know, was our 18 community service coordinator. 19 Michelle Smith was an Akron City 20 probation officer. 21 Danny Sojourner was an Akron City 22 probation officer. 23 Alissa Streeter was an Akron City 24 probation officer. 25 Judy Wallace was an Akron City</p>
<p style="text-align: right;">Page 147</p> <p>1 Exhibit 6, ending 9379 in the Bates stamp, I 2 see we're looking at an e-mail from you to, at 3 the top, Doug Powley, and it's dated February 4 22, 2011; is that correct? 5 A. Yes, ma'am, uh-huh. 6 Q. Who is Mr. Powley? 7 A. At the time, Mr. Powley was the 8 chief Akron City prosecutor. 9 Q. What was the purpose of your e-mail 10 to Mr. Powley? 11 A. Just to share, you know, this 12 report with Mr. Powley. Mr. Powley, you know, 13 was certainly involved in starting the Akron 14 Drug Court program, so just wanting to share 15 with him, you know, trends that were 16 potentially coming into the community. 17 Q. Now, if we look further down on the 18 same page, we see another e-mail from you to a 19 numb- -- a number of recipients also dated 20 February 22, 2011. 21 Could you identify for us the 22 recipients of this second e-mail? 23 A. By name or just, you know, how or 24 why I sent it to them? 25 Q. If you could identify them by name</p>	<p style="text-align: right;">Page 149</p> <p>1 probation officer. 2 And Kelly Warner was our office 3 manager. 4 Q. Were any of those recipients you 5 just identified specifically employed by the 6 Akron Recovery Court? 7 A. At that time I don't recall anybody 8 assisting me with the management of that 9 docket. Jill Forster, I believe her title at 10 that time was director of specialty courts. So 11 she was a manager of our various, you know, 12 specialized dockets, so certainly I'd have a 13 little bit more communication with her as it 14 related to, you know, drug court information or 15 drug court data. But she wasn't specifically 16 working on the docket. 17 Q. In your e-mail to the probation 18 team, you write, "This report has some 19 interesting information on current drug use and 20 availability trends in our area." 21 Do you recall what you thought was 22 interesting about the report? 23 A. I don't. I mean, this report is, 24 you know, over seven years old. 25 Q. So let's look at the report,</p>

<p style="text-align: right;">Page 150</p> <p>1 Mr. Sturmi. So staying on Exhibit 6, could you 2 please turn to the page ending with the Bates 3 stamp 9383. 4 A. Okay. 5 Q. And here it says -- if I can call 6 your attention to the first column, the last 7 paragraph, it reads, "Powdered cocaine 8 reportedly is used in combination with alcohol, 9 benzos, ecstasy, heroin, aka speedball when 10 shot together, and marijuana. Is that correct? 11 A. Yes, I see that. 12 Q. Do you recall that heroin was used 13 in combination with other drugs as of 2011? 14 MS. LEYIMU: Object to the form of 15 the question. 16 A. It doesn't indicate that in this 17 report. At least in that section. 18 Q. What do you believe this section 19 indica- -- indicates? Sorry. 20 A. Well, just trends in the 21 Akron-Canton region. 22 Q. Is that -- are the trends reported 23 here consistent with your recollection? 24 A. Yes, I think that -- my 25 recollection is that was a drug that was</p>	<p style="text-align: right;">Page 152</p> <p>1 MS. LEYIMU: Object to the form of 2 the question. 3 A. If an individual was charged with 4 or admitted use of heroin, we would classify 5 that as an opiate use, yes. 6 Q. And if we look at the next page, 7 which ends 9384, in the second column it says 8 "Heroin Current Trends." Do you see -- see 9 that heading? 10 A. Yes. 11 Q. And, "Across the region, it was 12 widely reported that the popularity and use of 13 heroin is rising." 14 Is that report consistent with your 15 knowledge of the use of heroin in Akron in 16 2011? 17 MS. LEYIMU: Object to the form of 18 the question. 19 A. It's tough for me to, you know, 20 remember seven years ago what -- what that 21 trend was, you know. I think I indicated that 22 2012 seemed to be somewhat of a benchmark, but, 23 you know. 24 Q. Is there any data that you would 25 recommend we look at in order to identify data</p>
<p style="text-align: right;">Page 151</p> <p>1 primarily an issue in -- in the Akron area at 2 that time. 3 Q. So -- so heroin was primarily a 4 drug that was in use in Akron as of 2011; is 5 that correct? 6 MS. LEYIMU: Object to the form of 7 the question. 8 A. I'm sorry. Could you repeat the 9 question? 10 Q. Sure. Is it your recollection that 11 heroin was a drug, in your words, primarily 12 used in Akron in 2011? 13 MS. LEYIMU: Object to the form. 14 A. It -- it was in use, you know. The 15 report indicates that further down in the 16 paragraph, that it was typically used in 17 combination with powdered cocaine. So there 18 was some indication that there was heroin use, 19 although somewhat on a limited basis, but 20 that's what the report says. 21 Q. From the data records of the 22 recovery court where heroin is used in 23 connection with another substance, such as 24 cocaine, would you categorize that as opioid 25 abuse?</p>	<p style="text-align: right;">Page 153</p> <p>1 trends as to drugs used in Akron? 2 MS. LEYIMU: Object to the form. 3 A. My only suggestion is looking at 4 the very report that we're looking at. They -- 5 they generate these reports all the time. So 6 you can pull OSAMN, you know, trends from their 7 website. 8 Q. Okay. Are there any other data 9 sources that you would consult in order to 10 identify or measure the popularity of drugs 11 used in Akron? 12 MS. LEYIMU: Object to the form. 13 A. Not specific data sources. But, 14 you know, remember, we -- we routinely work 15 with our Akron Police Department, SNUD, and 16 narcotics units, you know, so we're constantly 17 talking to the detectives that are on the 18 street that are making these arrests, and 19 they're often the very best providers of that 20 information. 21 It's nice to look at data. It's 22 important. But that's why we have an Akron 23 police detective assigned, you know, to the 24 recovery court team. Part of that is to 25 determine trends and what they're seeing on the</p>

<p style="text-align: right;">Page 154</p> <p>1 streets.</p> <p>2 Q. Is that because street drugs play</p> <p>3 an important role in the drug abuse that you</p> <p>4 observe in Akron?</p> <p>5 MS. LEYIMU: Object to the form of</p> <p>6 the question.</p> <p>7 A. All drugs, you know, are important</p> <p>8 to what we do in the Akron Recovery Court.</p> <p>9 MS. WU: So I think we're now up to</p> <p>10 Exhibit 7? Okay. Good. I can count.</p> <p>11 So we're going to mark as Exhibit 7</p> <p>12 a document identified as AKRON 001104338.</p> <p>13 - - - - -</p> <p>14 (Thereupon, Deposition Exhibit 7,</p> <p>15 4/16/2018 E-Mail Chain Between Jeff</p> <p>16 Sturmi and Shaina Rochford Re:</p> <p>17 Interview, AKRON_001104338 to</p> <p>18 001104342, was marked for purposes</p> <p>19 of identification.)</p> <p>20 - - - - -</p> <p>21 Q. Mr. Sturmi, do you recognize the</p> <p>22 document which has been marked as Exhibit 7?</p> <p>23 A. I'm still reviewing it.</p> <p>24 Q. Okay.</p> <p>25 A. Yes, I have a recollection of this.</p>	<p style="text-align: right;">Page 156</p> <p>1 whether she was doing a paper or some sort of</p> <p>2 presentation, you know, for, you know, class,</p> <p>3 but she wanted my opinions on these questions.</p> <p>4 Q. So if I can call your attention to</p> <p>5 the attachment which starts on the page ending</p> <p>6 4340, staying with Exhibit 7.</p> <p>7 A. Okay.</p> <p>8 Q. About halfway down the page, it</p> <p>9 reads, "Have you seen any changes over the</p> <p>10 years in regards to recovery court, such as the</p> <p>11 types of drugs and the types of defendants?"</p> <p>12 Is that Ms. Rochford's question to</p> <p>13 you?</p> <p>14 A. Yes, it is. Uh-huh.</p> <p>15 Q. Then the following text that</p> <p>16 starts, "Yes," is that your response?</p> <p>17 A. Yes, that's correct.</p> <p>18 Q. You write that "From 2003 to 2007</p> <p>19 it was primarily crack and powder cocaine"; is</p> <p>20 that correct?</p> <p>21 A. Yes.</p> <p>22 Q. What is the basis for your opinion</p> <p>23 that cocaine was the primary drug abused by</p> <p>24 recovery court clients during the period 2003</p> <p>25 to 2007?</p>
<p style="text-align: right;">Page 155</p> <p>1 Q. Okay. What is Exhibit 7?</p> <p>2 A. It was e-mail communication that I</p> <p>3 had received from Judge Oldham's judicial</p> <p>4 clerk. I believe her name is Shaina. Shaina</p> <p>5 was a law student at the University of Akron.</p> <p>6 So she had asked me to participate in basically</p> <p>7 an interview, just some written questions, and</p> <p>8 then I responded to those. And so that's what</p> <p>9 this is.</p> <p>10 Q. And you -- you mentioned Shaina.</p> <p>11 Is that Shaina Rochford?</p> <p>12 A. Yes. I believe -- yeah,</p> <p>13 Ms. Rochford.</p> <p>14 Q. Or Rochford. And did Ms. Rochford</p> <p>15 use the e-mail address that we see on</p> <p>16 Exhibit 7, clerkj6@akronohio.gov?</p> <p>17 A. That's correct. That was her</p> <p>18 e-mail designation. Each judge has, you know,</p> <p>19 a clerk number, and Judge Oldham is Clerk -- or</p> <p>20 is Judge No. 6.</p> <p>21 Q. What was that nature of the</p> <p>22 interview questions that Ms. Rochford posed to</p> <p>23 you?</p> <p>24 A. Just from my recollection, you</p> <p>25 know, they were general -- I can't speak to</p>	<p style="text-align: right;">Page 157</p> <p>1 MS. LEYIMU: Object to the form.</p> <p>2 A. It would be the same, you know,</p> <p>3 that it is today. So, you know, we're talking</p> <p>4 to our Akron police partners. We're looking at</p> <p>5 arrest numbers, arrest charges, just trying to</p> <p>6 get a -- a -- you know, a basis of what are the</p> <p>7 primary drugs of choice in the community. In</p> <p>8 the Akron community, and Summit County</p> <p>9 particularly.</p> <p>10 Q. Do you have any opinion as to why</p> <p>11 cocaine was common in the recovery court</p> <p>12 population for the period 2003 to 2007?</p> <p>13 MS. LEYIMU: Object to the form.</p> <p>14 A. I do not.</p> <p>15 Q. Is cocaine still a drug used or</p> <p>16 abused by clients of the recovery court today?</p> <p>17 A. It is.</p> <p>18 Q. Staying in the same paragraph, you</p> <p>19 write, "2007 to 2012 it moved to</p> <p>20 methamphetamine"; is that right?</p> <p>21 A. That's correct.</p> <p>22 Q. What is the basis for your opinion</p> <p>23 that from 2007 to 2012 methamphetam- --</p> <p>24 methamphetamine was a drug commonly used by</p> <p>25 recovery court clients?</p>



<p style="text-align: right;">Page 158</p> <p>1 MS. LEYIMU: Object to the form.</p> <p>2 A. Again, it would go back to</p> <p>3 interviewing the client, speaking with our</p> <p>4 partners with the Akron Police Department,</p> <p>5 looking at arrest data.</p> <p>6 Q. And does the arrest data that you</p> <p>7 just referenced identify the drug involved in a</p> <p>8 law enforcement encounter?</p> <p>9 A. Yes, it -- it -- it does.</p> <p>10 Q. Where is that reported?</p> <p>11 MS. LEYIMU: Object to the form.</p> <p>12 A. What the individual's charged with,</p> <p>13 or the more specific, you know, explanation of</p> <p>14 what the arrest, you know, was?</p> <p>15 I mean, obviously, an individual is</p> <p>16 charged with the offense, and a lot of times</p> <p>17 the offense specifically identifies the drug</p> <p>18 that they were alleged to have been in</p> <p>19 possession of. So that's certainly, you know,</p> <p>20 one mechanism, you know, to determine that.</p> <p>21 Q. Have you referred to any data</p> <p>22 sources in order to inform your opinion that</p> <p>23 meth was popular with recovery court clients</p> <p>24 from 2007 to 2012?</p> <p>25 MS. LEYIMU: Object to the form.</p>	<p style="text-align: right;">Page 160</p> <p>1 data sources in order to formulate your opinion</p> <p>2 that meth was a commonly used drug for the</p> <p>3 period 2007 to 2012?</p> <p>4 A. So once again, my response would be</p> <p>5 all -- all of the mechanisms that -- that I</p> <p>6 have at my disposal: interviewing clients that</p> <p>7 I serve; speaking with my coworkers about what</p> <p>8 they're seeing; seeing what type of clients are</p> <p>9 starting to come into recovery court; what is</p> <p>10 their diagnosis; is there an increase in</p> <p>11 methamphetamine diagnosis; talking with our</p> <p>12 partners, you know, with the Akron Police</p> <p>13 Department. So, you know, there's lots of --</p> <p>14 of mechanisms that I would, you know, look at.</p> <p>15 But in fairness, this was a</p> <p>16 response to a question from a judicial clerk.</p> <p>17 I'm just trying to complete that in a timely</p> <p>18 manner, so I'm not spending hours and hours,</p> <p>19 you know, on this document. I'm spending, you</p> <p>20 know, 5, 10, 15, 20 minutes, however long it</p> <p>21 took, to -- to assist with giving my opinion at</p> <p>22 that time.</p> <p>23 Q. Has your opinion changed as to the</p> <p>24 prevalence of the use of meth with recovery</p> <p>25 court clients during the period 2007 to 2012?</p>
<p style="text-align: right;">Page 159</p> <p>1 MS. FLOWERS: Objection. I'm</p> <p>2 sorry, but you're asking a fact witness for an</p> <p>3 opinion. I don't think that's proper.</p> <p>4 Go ahead.</p> <p>5 MS. WU: Ms. Flowers, I'm asking</p> <p>6 him for the basis of the opinion set forth in</p> <p>7 the exhibit that we have here. He's provided</p> <p>8 the --</p> <p>9 MS. FLOWERS: Okay.</p> <p>10 MS. WU: -- opinion outside the</p> <p>11 context of this litigation.</p> <p>12 MS. FLOWERS: I don't think we're</p> <p>13 going to debate whether that's his opinion or</p> <p>14 not versus fact. I just think that as a</p> <p>15 general proposition, asking his opinion in</p> <p>16 this -- in this context is improper.</p> <p>17 MS. WU: Well, let me -- let me see</p> <p>18 if I can rephrase my question to --</p> <p>19 MS. FLOWERS: Okay.</p> <p>20 MS. WU: -- make clear that I'm</p> <p>21 asking for the basis as set forth in this</p> <p>22 document.</p> <p>23 MS. FLOWERS: Okay.</p> <p>24 BY MS. WU:</p> <p>25 Q. Mr. Sturmi, did you consult any</p>	<p style="text-align: right;">Page 161</p> <p>1 A. Has it changed in what regard?</p> <p>2 Q. Is your opinion, as you sit here</p> <p>3 today, different from it was when you wrote the</p> <p>4 contents of Exhibit 7?</p> <p>5 A. Again, I don't really understand</p> <p>6 the question.</p> <p>7 Q. As -- as you sit here today,</p> <p>8 Mr. Sturmi, do you have the opinion that</p> <p>9 methamphetamine was a drug commonly used by</p> <p>10 recovery court clients for the period 2007 to</p> <p>11 2012?</p> <p>12 MS. FLOWERS: The same objection.</p> <p>13 A. Yes, it -- it -- that -- that was,</p> <p>14 you know, the case, you know, at that time.</p> <p>15 And I think that's -- you know, my -- my</p> <p>16 opinion stands, you know, during that time</p> <p>17 frame, that that appeared to be the trend, you</p> <p>18 know, in the Akron/Summit County area.</p> <p>19 Q. To what do you attribute the</p> <p>20 prevalence of the use of methamphetamine during</p> <p>21 the period 2007 to 2012?</p> <p>22 MS. LEYIMU: Object to the form.</p> <p>23 A. I can't speak to, you know, what</p> <p>24 specifically created the -- that increase,</p> <p>25 other than any other drug trend, you know.</p>



<p style="text-align: right;">Page 162</p> <p>1 Drug dealers will constantly come 2 into areas and, you know, flood the market with 3 their product. So, you know, whether Mexican 4 cartels decided they wanted to, you know, 5 conduct business in Akron, whether folks 6 started going online and trying to, you know, 7 make a methamphetamine lab, you know, I just 8 know that during that time frame, we saw a 9 marked increase in the amount of clients that 10 were coming to our attention for 11 methamphetamine use. 12 Q. Is methamphetamine still among the 13 drugs used by recovery court clients? 14 A. Yes. 15 Q. Now, going back to Exhibit 7, you 16 continue, "2012 to present it has moved to 17 opiates." 18 What facts -- fact or database 19 sources formed the basis for your opinion that 20 opiates were popular drugs among recovery court 21 clients for the period of 2012 and forward? 22 A. Again, it would be the same sources 23 that I had earlier, you know, identified; you 24 know, the extensive amount of interviews that 25 I've conducted with clients; assessment data</p>	<p style="text-align: right;">Page 164</p> <p>1 you, Mr. Sturmi? 2 A. That's my recollection, yes. 3 Q. And then in response you write, 4 "Interestingly, I think that question is 5 answered in the book entitled Dreamland by Sam 6 Quinones"; is that correct? 7 A. Yes. That's my -- that's my 8 recollection of the response. 9 Q. What does Dreamland -- how does the 10 book Dreamland inform your opinion about the 11 opioid epidemic? 12 MS. LEYIMU: Object to the form. 13 A. Well, you know, in -- in some of 14 the trainings and workshops that I attended at 15 that time, you know, Mr. Quinones, I recall him 16 being, you know, at those conferences. So, you 17 know, his -- his book and his opinions were 18 pretty widely known, and so in the course of my 19 job, I certainly wanted to review, you know, 20 that book, and found it to be interesting, 21 as -- as any piece of information is 22 interesting as we're trying to determine, you 23 know, what's going on. 24 Q. Are there -- is Dreamland 25 consistent with your personal -- the facts</p>
<p style="text-align: right;">Page 163</p> <p>1 that I've reviewed; arrest reports; 2 communication with our police department; 3 Summit County ADM Board's involvement. 4 Reviewing, you know, data in that regard. 5 Q. And does the data that you're 6 referencing distinguish between the drugs 7 involved in an encounter? 8 MS. LEYIMU: Object to the form. 9 A. I don't have a specific 10 recollection of -- of that being broken down. 11 You know, we speak about opiates, it could be 12 any number of opiates. 13 Q. As used in Exhibit 7, which we're 14 looking at, when you use the term "opiates," 15 are you distinguishing between prescription 16 drugs and non-prescription drugs? 17 A. I don't believe so, otherwise I 18 would put that, you know, in the response. 19 Q. Now, if we could turn to the next 20 page of Exhibit 7, which ends 4341. I'd like 21 to call your attention to the second complete 22 paragraph. That reads, "Why do you believe 23 that opioid epidemic [sic] has become 24 prevalent?" 25 Is that Ms. Rochford's question to</p>	<p style="text-align: right;">Page 165</p> <p>1 reported in Dreamland consistent with your 2 experience with the Akron Recovery Court? 3 MS. LEYIMU: Object to the form of 4 the question. 5 A. You know, I would -- I would 6 hesitate to say that my opinions are based upon 7 one author and one book. 8 You know, again, I try and -- I try 9 and formulate my opinions by looking at lots of 10 different information, lots of different data. 11 So this book was just another piece in trying 12 to educate myself on potentially why this 13 particular individual felt, you know, that the 14 opiate epidemic started or was created. 15 But his opinions aren't mine. He's 16 just an author, and I -- I reviewed a book, 17 something that I do routinely. 18 Q. Do you recall at which trainings 19 Mr. Quinones appeared? 20 A. My recollection is that he may 21 have, you know, been at an OSU Institute of 22 Addiction Studies, but I don't have a specific 23 recollection. I just remember, you know, that 24 he was there and gave one of the breakout 25 sessions.</p>

<p style="text-align: right;">Page 166</p> <p>1 Q. Do you recall about when that event 2 occurred?</p> <p>3 A. Several years ago. Wasn't 4 recently. I don't recall when his book was 5 written, but, you know, I'm sure it was, you 6 know, a few times, you know -- or it was after 7 that.</p> <p>8 Q. Have you encountered Mr. Quinones 9 at any other -- other events?</p> <p>10 A. No. I've never met Mr. Quinones. 11 I've never spoken with him.</p> <p>12 MS. WU: Do you want to stop here 13 for a lunch break?</p> <p>14 MS. LEYIMU: I think that's 15 perfect.</p> <p>16 MS. WU: I think that lunch has 17 arrived.</p> <p>18 THE VIDEOGRAPHER: Off the record 19 at 1:10 p.m. 20 (Luncheon Recess.) 21 THE VIDEOGRAPHER: Back on the 22 record at 2:01 p.m. 23 BY MS. WU: 24 Q. Mr. Sturm, I'd like to ask you to 25 take Exhibit 7 once again.</p>	<p style="text-align: right;">Page 168</p> <p>1 professionals that I've worked with over the 2 years.</p> <p>3 Q. And I'd like to ask the court 4 reporter to mark Exhibit 8, which is identified 5 as AKRON 000226917. 6 - - - - - 7 (Thereupon, Deposition Exhibit 8, 8 Document Titled "Akron Municipal 9 Court Drug Court Preliminary 10 Screening," AKRON_000226917, was 11 marked for purposes of 12 identification.) 13 - - - - - 14 Q. Mr. Sturm, are you familiar with 15 the type of document, which has been marked as 16 Exhibit 8?</p> <p>17 A. Yes, I am.</p> <p>18 Q. What is it?</p> <p>19 A. It's what we would term as the 20 Akron Recovery Court preliminary screening 21 form.</p> <p>22 Q. Now, I'd like to ask you to just 23 walk through some of the data which is recorded 24 on -- on this form.</p> <p>25 A. Yep.</p>
<p style="text-align: right;">Page 167</p> <p>1 A. Okay.</p> <p>2 Q. Okay. And when we left off, we 3 were looking at the second page of the exhibit, 4 which ends in the Bates stamp of 4340.</p> <p>5 A. Okay.</p> <p>6 Q. If I can call your attention back 7 to the second paragraph -- or second question, 8 which reads, "Have you seen any changes over 9 the years in regards to recovery court, such as 10 the types of drugs and the types of 11 defendants?"</p> <p>12 Do you see where I'm reading?</p> <p>13 A. Yes, I do.</p> <p>14 Q. We spent some time earlier talking 15 about your response.</p> <p>16 If I wanted to scientifically check 17 the opinions that you've set forth with regard 18 to the types of drugs used by recovery court 19 defendants, how would I do so?</p> <p>20 MS. LEYIMU: Object to the form of 21 the question.</p> <p>22 A. I don't know the mechanism to 23 scientifically check that. You know, I think 24 that my responses here are from my life 25 experiences and the multitude of clients and</p>	<p style="text-align: right;">Page 169</p> <p>1 Q. So at the top, we see the 2 "Offender," "Case Number," then I see 3 "Offense." What is that field?</p> <p>4 A. What the individual was charged 5 with. So any charges that are part of that 6 case. Could be a -- as is with this particular 7 case, there were two counts on the case.</p> <p>8 Q. Where do you and your staff look in 9 order to determine the offense to populate this 10 screening worksheet?</p> <p>11 A. The screener, you know, is 12 specifically targeting -- targeting any 13 misdemeanor drug offense.</p> <p>14 Q. Is it possible that a recovery 15 court applicant might be charged with 16 additional offenses that are not reflected on 17 the screener?</p> <p>18 A. No. If -- if this, you know, form 19 is completed, then, you know, any charge that's 20 part of that case number should be listed on 21 the document.</p> <p>22 Q. Where does the person filling out, 23 the screener, identify those charges?</p> <p>24 A. Typically, by looking at the AMCIS, 25 Akron Municipal Court's Information System, so</p>

<p style="text-align: right;">Page 170</p> <p>1 the court's, you know, general database. In 2 addition to that, she's also going to review 3 the actual court file, so the hard copy of the 4 court file. 5 Q. So next we see "CCH Run." What is 6 that? 7 A. It's an acronym for criminal case 8 history. 9 Q. What does that refer to? 10 A. It's basically an FBI leads 11 computer check. So we do a nationwide, you 12 know, criminal history check, primarily looking 13 for wants, warrants, and, you know, things that 14 we wouldn't see just by looking at AMCIS. 15 Q. What is the purpose of running the 16 CCH check? 17 A. Obviously, just to get an idea of 18 the offender's prior history; again, to check 19 for any active, you know, wants or warrants; 20 and to see if the client would at least -- would 21 at least meet the initial threshold for entry 22 into the Akron recovery court's IILC track, or 23 Track 1. 24 Q. What do you mean by IILC or Track 25 1?</p>	<p style="text-align: right;">Page 172</p> <p>1 disqualifying factor from a prior record? 2 A. In reference to Track 1? 3 Q. Yes. 4 A. The -- the main ones are crimes of 5 violence. Depending upon, you know, pending 6 charges in other courts, you know, can create 7 issues. If the offender is on any type of 8 probation or parole, you know, that can, you 9 know, be a disqualifying factor. Most of the 10 time it's the offense itself. It may be an 11 enhanceable offense. It's not permissible, you 12 know, as defined by the Ohio Revised Code's 13 IILC statute. 14 Q. When did the recovery court 15 institute the Track 1 option? 16 A. It was approximately three years 17 ago. Judge Oldfield was the -- so it might 18 have been a little over three. You know, maybe 19 more like three and a half to four years ago, 20 because she, you know, was instrumental in -- 21 in making that change. 22 Q. Now, continuing to march through 23 the screening form, next is "FBI Number." What 24 is that? 25 A. If an individual has an FBI record</p>
<p style="text-align: right;">Page 171</p> <p>1 A. It's a newer, you know, program 2 that we implemented approximately two years 3 ago. The Ohio Revised Code allows for certain 4 offenders charged with offenses that are 5 substance abuse-related, they potentially could 6 have that case dismissed and sealed if they 7 successfully complete the program. 8 Q. How many of the current recovery 9 court clients participate in the Track 1 10 program? 11 A. Of our -- I didn't look at hard 12 numbers, you know, but typically we hover 13 around that 75 to 80 percent are Track 1s. The 14 remaining balance are what we would term as 15 Track 2 or probation track. 16 Q. And what do you mean by Track 2? 17 A. Essentially what Track 2 is, is the 18 same program, the same services, but they're 19 not going to be eligible for the intervention 20 in lieu of conviction because of any number of 21 factors that's determined by the Ohio Revised 22 Code. We didn't want to prevent somebody from 23 coming into the recovery court docket based 24 solely upon their prior record, you know. 25 Q. What would be a disqual- --</p>	<p style="text-align: right;">Page 173</p> <p>1 of any kind, then the FBI assigns that offender 2 with a unique identifying number. 3 Q. And what is the purpose in tracking 4 that FBI number? 5 A. It's really for -- for purposes of 6 running, you know, the report. You know, in 7 other words, this client may come back to us in 8 a year or two, and so when we sit down at our 9 LEADS computer terminal to run another criminal 10 case history, instead of just having to input 11 dates of birth, soc. numbers, all of those, you 12 can just input the FBI number and it's a much 13 more efficient way to get that report. 14 Q. You referenced the LEADS terminal. 15 For the record, could you tell us what you're 16 talking about? 17 A. Yeah. The LEADS terminal, that 18 acronym stands for Law Enforcement Automated 19 Data System. It's a computer system linked 20 through the Ohio Bureau of Criminal 21 Investigation and Identification. Our 22 department went through an application process 23 to obtain that LEADS terminal. There are 24 several LEADS terminals, you know, located in 25 the Akron Municipal Court. We operate one of</p>

<p style="text-align: right;">Page 174</p> <p>1 them for investigative purposes only.  2 Q. So next is the "BCI Number."  3 What's that?  4 A. So that's an acronym for Bureau of  5 Criminal Investigation. The Ohio Bureau of  6 Criminal Investigation. And likewise, if an  7 individual has a record that's been reported to  8 BCI, they assign a unique qualifying number  9 that again allows our staff a much more  10 efficient way to run that check if we have to  11 run -- if we -- you know, if we have to run it  12 again.  13 Q. So next we see "Arresting Agency."  14 What does that record?  15 A. It's the agency that arrested the  16 individual for this particular case. So it  17 identifies the jurisdiction, the actual law  18 enforcement agency that made that arrest.  19 Q. So on Exhibit 8, I see the APD, the  20 Akron Police Department, is filled in. Are  21 there any other arresting agencies that would  22 fall under the -- that might have arrested one  23 of your potential clients?  24 A. Yes.  25 Q. What are those?</p>	<p style="text-align: right;">Page 176</p> <p>1 history. So next to "Report of Criminal  2 Convictions," it has "DUI Convictions," "DUS,"  3 which is driving under suspension convictions,  4 "Number of Prison Sentences," and then the  5 rest, I think, is relatively self-explanatory.  6 There's "Akron Municipal Record,"  7 "Yes." "How many number of misdemeanors."  8 "Contempt" on separate cases. And then we're  9 also, underneath that, looking at some of our  10 surrounding cities and counties that we have  11 found a lot of our clients have records in.  12 Q. So the list with a "Yes," "No"  13 column, that's simply a record of where else  14 the potential client has a criminal record; is  15 that right?  16 A. That's correct. It's indicating  17 that in those particular jurisdictions, we did  18 it -- we did a check on their websites, and  19 they either, you know, did or did not have a  20 record.  21 Q. Now, if we look to the right of  22 that register, there's free text. What's  23 inputted into this area of the screening form?  24 A. So our screener, you know, is going  25 to list, to the best of his or her ability, the</p>
<p style="text-align: right;">Page 175</p> <p>1 A. The other jurisdictions that --  2 that we serve are Springfield Township,  3 Lakemore Village Township, which is a -- they  4 changed their charter recently. Springfield  5 and Lakemore were one and now they're back to  6 being split, so they do have a separate police  7 department. So Lakemore Village Police  8 Department, the Fairlawn Police Department, the  9 Bath Township Police Department, the Richfield  10 Township Police Department, occasionally but  11 rarely the Mogadore Police Department. They  12 have a very small part of their city that's  13 within Summit County, but some of it's in  14 Portage County. And then, lastly, the  15 University of Akron Police Department, who also  16 are within our jurisdiction.  17 Q. If we drop down to the next  18 register is "Record of Criminal Convictions."  19 What information is to be entered into those  20 fields?  21 A. You know, again, general helpful  22 information, because typically the person --  23 the main reason that we draft this is for  24 judges, you know, to look at, so they're  25 getting a quick snapshot of that offender's</p>	<p style="text-align: right;">Page 177</p> <p>1 year that the charge occurred, the  2 jurisdiction, and what the offense was.  3 In certain circumstances that  4 screener may be able to list a disposition or a  5 sentence. Lots of times they're not. Again,  6 this is just a screening form, so it gives us a  7 place to start.  8 Q. Now, if we drop down, it says  9 "Offender meets eligibility requirements,  10 scheduled for drug court."  11 Who determines whether or not the  12 referred client meets the eligibility --  13 eligibility requirements?  14 A. Initially, it's the -- the Akron  15 probation officer that's assigned that task,  16 which at the present time, you know, is  17 Probation Officer Alissa Streeter. So she, you  18 know, is aware of what the criteria is for  19 IILC. And then, obviously, it lists, you know,  20 if the person is not eligible, and again, it's  21 going to show why that person is not -- not  22 eligible, at least for Track 1.  23 Q. In addition to Ms. Streeter, is  24 there anyone else who has responsibilities for  25 completing screening forms?</p>



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1 A. Yes. We do have overflow staff,  
 2 you know, for when Officer Streeter is not  
 3 available.  
 4 Q. Do you ever undertake the screening  
 5 process?  
 6 A. On limited occasions. Only when  
 7 necessary, because you're coming in 5:30 in the  
 8 morning.  
 9 Q. About how often do you -- about how  
 10 many times in the last year did you complete a  
 11 screening form?  
 12 A. Anywhere from maybe two to five.  
 13 Q. How about in previous years? Is  
 14 that same occurrence average for you?  
 15 A. I did more when we first, you know,  
 16 utilized this form. Primarily because I wanted  
 17 to make sure that I understood it. You know as  
 18 the manager of the program, I think it's  
 19 important, you know, for me to understand all  
 20 aspects, or as most of the aspects of the  
 21 program that I can, and certainly this form was  
 22 one of them.  
 23 So, you know, I -- I had done  
 24 several of them just to make sure that the flow  
 25 worked and that, you know, most importantly,

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1 the judges that primarily use this document,  
 2 that they were pleased with that product.  
 3 Q. When did the recovery court  
 4 institute this screening form?  
 5 A. You know, it's changed over the  
 6 years. As far as when we first started  
 7 flagging cases, tough for me to put a specific  
 8 time frame on that, but, you know, obviously  
 9 this form is dated 2012, you know. So that  
 10 sounds about the time that we started utilizing  
 11 this form.  
 12 And our efforts were really just to  
 13 help flag the case. Our court files are  
 14 congested with a lot of documents, so all these  
 15 forms have different colors. This -- this  
 16 document is normally blue.  
 17 Q. Is this form maintained only in  
 18 hard copy?  
 19 A. No.  
 20 Q. Where else is it maintained, or how  
 21 else is it maintained?  
 22 A. It's scanned and attached into the  
 23 probation department software program. We term  
 24 that as GBS.  
 25 Q. Prior to 2012 what document, if

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1 any, did the recovery court use for screening?  
 2 A. Prior to the implementation of this  
 3 0form, I believe that meant that we remained a  
 4 felony reduction program, so there wasn't much  
 5 screening to do. The clients were identified  
 6 only by offense.  
 7 So if they were charged with that  
 8 felony drug offense, it automatically triggered  
 9 a referral to drug court.  
 10 Q. So there was no screening form  
 11 prior to 2012?  
 12 MS. LEYIMU: Object to the form.  
 13 A. Yeah, again, I can't speak to the  
 14 specific time frame. But, you know, my  
 15 recollection was, you know, that once our model  
 16 changed from a felony reduction to a  
 17 misdemeanor specific, that we needed to  
 18 identify and -- and use a form for those case  
 19 files.  
 20 Q. How many screener forms were  
 21 completed during the last year?  
 22 MS. LEYIMU: Object to the form of  
 23 the question.  
 24 A. I don't have specific knowledge of  
 25 that.

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1 Q. Where would we look if we wanted to  
 2 obtain that information?  
 3 MS. LEYIMU: Object to the form.  
 4 A. The Oriana House, Incorporated, has  
 5 that data.  
 6 Q. Does the recovery court have access  
 7 to that data?  
 8 A. Upon request. I don't have a  
 9 direct link. It's a separate computer system.  
 10 Q. Does Oriana -- does Oriana House  
 11 maintain data on behalf of the recovery court?  
 12 MS. LEYIMU: Objection. Form of  
 13 the question.  
 14 A. Again, my recollection, since the  
 15 program started in 1995, is that at that time  
 16 was one of their job responsibilities, and that  
 17 remains so today.  
 18 Q. So is it the case that the recovery  
 19 court has outsourced certain data-keeping  
 20 functions to Oriana House?  
 21 MS. LEYIMU: Object to the form.  
 22 A. Yes.  
 23 Q. And the recovery court maintains  
 24 access to the records that are maintained by  
 25 Oriana House for the recovery court, correct?



<p style="text-align: right;">Page 182</p> <p>1 A. That is correct.</p> <p>2 Q. Once the probation officer</p> <p>3 completes the screening form, what happens</p> <p>4 next, in terms of filing the form?</p> <p>5 A. In the court file, ma'am?</p> <p>6 Q. Yes.</p> <p>7 A. Yeah. So the hard copy is placed</p> <p>8 in the court file. It's flagged with a -- a</p> <p>9 flag just as, you know, you would flag any</p> <p>10 document. Again, that's to help our judge or</p> <p>11 other court folks to be aware that this is a</p> <p>12 potential Akron Recovery Court client.</p> <p>13 I'm given a copy of this. That</p> <p>14 triggers my own process of tracking that case.</p> <p>15 Q. Do you review each of the screening</p> <p>16 forms that you receive?</p> <p>17 A. I do.</p> <p>18 Q. For what purpose do you review the</p> <p>19 screening forms?</p> <p>20 A. Number one, just to obviously see</p> <p>21 if a client is at least initially found to be</p> <p>22 preliminarily eligible, then I'm putting the</p> <p>23 date and time of their eligibility on a</p> <p>24 scheduling board to monitor that case status.</p> <p>25 Q. Is there any entry on the screening</p>	<p style="text-align: right;">Page 184</p> <p>1 the charge that they were charged with by the</p> <p>2 arresting agency as defined by the Ohio Revised</p> <p>3 Code or a local city code.</p> <p>4 Q. And the charge itself does not</p> <p>5 necessarily identify the drug involved in the</p> <p>6 law enforcement encounter?</p> <p>7 A. Not always. Not necessarily.</p> <p>8 Correct.</p> <p>9 Q. If you wanted to obtain all</p> <p>10 screening forms in the probation system, how</p> <p>11 would you access them?</p> <p>12 MS. LEYIMU: Object to the form of</p> <p>13 the question.</p> <p>14 A. Hard copies of these?</p> <p>15 Q. Let me take a step back,</p> <p>16 Mr. Sturmi.</p> <p>17 You mentioned that the screening</p> <p>18 forms are scanned after completion; is that</p> <p>19 correct?</p> <p>20 A. That's correct.</p> <p>21 Q. After they're scanned, how are they</p> <p>22 saved electronically?</p> <p>23 A. They're uploaded. A GBS entry is</p> <p>24 made, so, you know, I would see this case</p> <p>25 number, so if I typed in either the defendant's</p>
<p style="text-align: right;">Page 183</p> <p>1 form that calls for the identification of the</p> <p>2 substance abused by the potential client?</p> <p>3 MS. LEYIMU: Object to the form.</p> <p>4 A. If the individual was charged with</p> <p>5 an offense defined by the Ohio Revised Code,</p> <p>6 yes, there are certain occasions where you</p> <p>7 would see -- you know, an example would be</p> <p>8 possession of, you know, a misdemeanor drug</p> <p>9 offense. A Schedule, you know, II, III, the</p> <p>10 different schedules that they determine.</p> <p>11 Obviously, for it to be a misdemeanor, it would</p> <p>12 have to meet that criteria. But there are</p> <p>13 occasions where the offense, you know, would</p> <p>14 specify what they were charged with.</p> <p>15 Q. Is there any substance identified</p> <p>16 on Exhibit 8?</p> <p>17 MS. LEYIMU: Object to the form.</p> <p>18 A. No, there's not a specific</p> <p>19 substance identified.</p> <p>20 Q. And that is consistent with the</p> <p>21 requirements for filling out the screening</p> <p>22 form, correct?</p> <p>23 MS. LEYIMU: Object to the form.</p> <p>24 A. Yeah. The requirements of this</p> <p>25 form indicate that the screener has to identify</p>	<p style="text-align: right;">Page 185</p> <p>1 name or the case number, this would come up.</p> <p>2 As I go into the log of that</p> <p>3 database, there's the ability to review an</p> <p>4 attachment, and that is where this form -- I</p> <p>5 would see it electronically there.</p> <p>6 Q. Are you able to print documents</p> <p>7 from the GBS database?</p> <p>8 A. Yes.</p> <p>9 MS. WU: All right. So I'd like to</p> <p>10 mark as Exhibit -- 9? Exhibit 9 a document</p> <p>11 marked as AKRON 000227333.</p> <p>12 - - - - -</p> <p>13 (Thereupon, Deposition Exhibit 9,</p> <p>14 Document Titled "Drug Court Case</p> <p>15 History," Case No. 12CRB03563, was</p> <p>16 marked for purposes of</p> <p>17 identification.)</p> <p>18 - - - - -</p> <p>19 Q. Mr. Sturmi, are you familiar with</p> <p>20 the type of document which has been marked as</p> <p>21 Exhibit 9?</p> <p>22 A. I am.</p> <p>23 Q. What is it?</p> <p>24 A. So this is part of our GBS</p> <p>25 database. This is a printout of the log. We</p>

<p style="text-align: right;">Page 186</p> <p>1 would term this as a log. It's a chronological 2 probation note history. 3 Q. Who is responsible for generating 4 the content in this case history? 5 A. Different staff members. 6 Secretarial staff is initially inputting the 7 case and identifying the party and what the 8 individual was charged with. 9 And then, if that offender is 10 placed into the recovery court, then the 11 probation officer, typically me or Mr. Krutko 12 in -- in his job duties, are then adding, you 13 know, different chronological data as needed. 14 Q. How is the information inputted 15 into this form sourced? 16 A. I'm not sure what you mean by 17 "sourced." 18 Q. How is this information populated? 19 Where does it come from? 20 A. Just a -- you mean the data as far 21 as inputting on the keyboard or you mean 22 where -- where are we getting the information? 23 Q. Where are you getting the 24 information? 25 A. Okay. So we're getting the</p>	<p style="text-align: right;">Page 188</p> <p>1 form? 2 A. No. 3 Q. Now, if we turn to the second page 4 of this document, it ends 27 -- 27334, we go to 5 the entry for July 10, 2012, we see a sanction. 6 What does a sanction report? 7 A. So sanction, in a drug court model 8 we have graduated sanctions and rewards, so 9 this is a notation that on this particular day, 10 this individual was scheduled for a sanction 11 No. 2 for some sort of violation of the program 12 rules. 13 Q. Who would be responsible for 14 identifying sanctions for input into the case 15 history? 16 A. Well, our team, you know, is 17 staffing these cases each week. So anybody 18 that's coming to appear at a drug court 19 session, we're staffing that case the day 20 before, and depending upon why that client is 21 appearing, that would trigger the information 22 that the judge sees. That's what this document 23 really is for. You know, this document is in 24 front of Judge Oldham as the client is 25 appearing, so he can look at that and get a</p>
<p style="text-align: right;">Page 187</p> <p>1 information from any number of factors. As an 2 example, on this case, the person entered the 3 program April 19, 2012, so we're recording the 4 fact that they entered the program. 5 Positive drug screens are provided 6 to our department from the Oriana House lab. 7 And then typically, you know, the probation 8 aide is entering that data as he -- as he or 9 she receives it. 10 Q. So if we now go to the entry that's 11 dated 4/26/2012. The "Type" column reads 12 "DCUDS results." What's that? 13 A. Drug court urine drug screen 14 result. 15 Q. And then there's an entry. What 16 does that entry report? 17 A. In that same -- in other words, the 18 "Positive MJ"? 19 Q. Yes. 20 A. So that's an acronym for a positive 21 marijuana test, and then underneath that a 22 positive opiate test. 23 Q. Is there any distinction drawn 24 between prescription opioids and 25 non-prescription opioids as reported on this</p>	<p style="text-align: right;">Page 189</p> <p>1 snapshot of why this person is appearing before 2 him. 3 Q. Who has access to this case 4 information? 5 A. The probation department staff, and 6 certainly the judge upon his or her request. 7 Q. Is this information available in 8 the municipal court docket? 9 A. No. It's a confidential document. 10 Q. Now, if we look at the entry for -- 11 the second entry for October 9, 2012, the typed 12 column reads "Closed." What does that 13 indicate? 14 A. That, you know, we closed pursuant 15 to our policies and procedures. 16 Q. What does it mean for the client 17 when a case is closed? 18 MS. LEYIMU: Object to the form. 19 Vague. 20 You can answer. 21 A. It basically just means that, you 22 know, we have officially closed that case on 23 any number of different factors. It looks 24 like, on this particular case, it was closed 25 because a warrant was issued for that person's</p>

<p style="text-align: right;">Page 190</p> <p>1 arrest.</p> <p>2 Q. Do you know how many drug court</p> <p>3 case histories were generated within the last</p> <p>4 year?</p> <p>5 A. I -- I don't.</p> <p>6 Q. Where would we look if we wanted to</p> <p>7 find that information?</p> <p>8 MS. LEYIMU: Object to the form.</p> <p>9 A. I'm not sure I -- I understand the</p> <p>10 question.</p> <p>11 Q. If you wanted to know how many drug</p> <p>12 court histories your department generated last</p> <p>13 year, how would you answer that question?</p> <p>14 A. I don't think very well because I</p> <p>15 still don't understand the question. So are</p> <p>16 you saying how -- how would I print this out?</p> <p>17 Q. If you wanted -- do you know how</p> <p>18 many case histories were recorded in 2018?</p> <p>19 A. Not off the top of my head.</p> <p>20 Q. If you wanted to find out how many</p> <p>21 were created in 2018, how would you do that?</p> <p>22 A. Again, I think I'm confused on --</p> <p>23 on your question. Are you asking how many</p> <p>24 clients were activated into the drug court?</p> <p>25 Because we don't always print these documents.</p>	<p style="text-align: right;">Page 192</p> <p>1 name.</p> <p>2 MS. WU: Sure. Again, just for</p> <p>3 clarity on the record, I think the parties have</p> <p>4 agreed that these documents are not subject to</p> <p>5 HIPAA, but we can certainly take it off --</p> <p>6 offline.</p> <p>7 MS. FLOWERS: Thank you.</p> <p>8 MS. WU: So I'd like to mark as</p> <p>9 Exhibit 10 AKRON 000225302.</p> <p>10 - - - - -</p> <p>11 (Thereupon, Deposition Exhibit 10,</p> <p>12 12/22/2011 Document Titled Akron</p> <p>13 Municipal Court Felony Drug Court</p> <p>14 Costs Invoice," AKRON_000225302, was</p> <p>15 marked for purposes of</p> <p>16 identification.)</p> <p>17 - - - - -</p> <p>18 A. Okay.</p> <p>19 Q. Mr. Sturmi, are you familiar with</p> <p>20 the document identified as Exhibit 10?</p> <p>21 A. Well, it's been quite some time</p> <p>22 since I've seen this type of document, but,</p> <p>23 yeah, this appears to be an AMCIS-generated</p> <p>24 computer document that shows the breakdown of</p> <p>25 court costs.</p>
<p style="text-align: right;">Page 191</p> <p>1 It just depends.</p> <p>2 Q. Does every client in the recovery</p> <p>3 court have an active case history?</p> <p>4 A. Yes.</p> <p>5 Q. Are there case histories for any --</p> <p>6 do you maintain case histories for clients who</p> <p>7 have been terminated from the drug court</p> <p>8 program?</p> <p>9 A. Yes. Any client that was ever</p> <p>10 activated into drug court, we have a case</p> <p>11 history on them.</p> <p>12 Q. How do you access those case</p> <p>13 histories? Through what system?</p> <p>14 A. The GBS probation department</p> <p>15 software program.</p> <p>16 MS. WU: All right. I'd like to</p> <p>17 mark as Exhibit 10 --</p> <p>18 MS. FLOWERS: If you're -- are you</p> <p>19 finished with that -- with this one for a</p> <p>20 minute?</p> <p>21 MS. WU: Yes.</p> <p>22 MS. FLOWERS: I would just like</p> <p>23 to -- I'm not sure whether this contains HIPAA</p> <p>24 or not, and I'd just like to reserve the right</p> <p>25 on the record in case it does, to redact the</p>	<p style="text-align: right;">Page 193</p> <p>1 Q. You mentioned AMCIS. What is</p> <p>2 AMCIS?</p> <p>3 A. It's the Akron Municipal Court's</p> <p>4 Information System.</p> <p>5 Q. To whom were the court costs on</p> <p>6 Exhibit 10 charged?</p> <p>7 MS. LEYIMU: Object to the form.</p> <p>8 A. To whom was the client? The</p> <p>9 defendant, ma'am?</p> <p>10 Q. To whom was the invoice marked as</p> <p>11 Exhibit 10 issued?</p> <p>12 A. It was issued to a Mr. Robert A.</p> <p>13 Guthrie.</p> <p>14 Q. Was Mr. Guthrie a client of the</p> <p>15 recovery court?</p> <p>16 A. It appears that he was; however, I</p> <p>17 don't have a recollection of Mr. Guthrie, and</p> <p>18 this is a 2011 case.</p> <p>19 Q. I see that it notes that</p> <p>20 Mr. Guthrie is a defendant in the municipal</p> <p>21 courts; is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. And the document reads "Felony Drug</p> <p>24 Court Costs Invoice," correct?</p> <p>25 A. Yes, that's correct.</p>

<p style="text-align: right;">Page 194</p> <p>1 Q. What is a felony drug court costs 2 of invoice? What is it? 3 A. I can't really speak to that. I 4 don't -- this isn't -- this isn't a form that 5 I'm familiar with. I don't generate it. I'm 6 assuming Mr. Laria and the Akron municipal 7 clerk of courts, you know, utilizes this, so 8 this is not a document that I'm familiar with. 9 Q. Does the recovery court charge its 10 clients for court services? 11 MS. LEYIMU: Object to the form of 12 the question. 13 A. Yes. They're -- they're assessed 14 court costs. 15 Q. Do you review the court costs 16 charged to your clients? 17 MS. LEYIMU: Object to the form of 18 the question. 19 A. No. 20 Q. Who is responsible for charging 21 recovery court clients for court costs? 22 A. I believe that would be Mr. Laria, 23 the Akron municipal clerk of court. 24 Q. Do you know how many invoices were 25 issued to your clients last year?</p>	<p style="text-align: right;">Page 196</p> <p>1 A. Primarily -- well, not primarily. 2 There are two. One is a probation supervision 3 fee, so any individual that is placed on 4 probation is required to pay a probation 5 supervision fee. That fee is \$120 or \$10 per 6 month of probation service. 7 Often our clients are with us 8 longer than 12 months. We do not continue to 9 charge. In other words, that meter does not 10 keep running. It's \$120 whether you're with us 11 12 months or 24 months or 36 months. 12 Q. You mentioned there was a second 13 category of charges. What's that second 14 category? 15 A. The second category is an Oriana 16 House program fee that our contract agency 17 charges the client. Those monies do not come 18 to our court and are not receipted or processed 19 with the Akron municipal clerk of court or the 20 cashier's office. 21 Q. And when you say that the monies 22 are charged by the contract agency, do you mean 23 Oriana House is charging those fees? 24 A. That's correct, yes. 25 Q. Mr. Sturmi, for that second</p>
<p style="text-align: right;">Page 195</p> <p>1 MS. LEYIMU: Object to the form of 2 the question. 3 A. I don't have specific knowledge of 4 that total number, but anybody that entered the 5 Akron Recovery Court would -- would have been 6 assessed, you know, court costs on that case. 7 Q. Do you know the total amount of 8 fees invoiced to recovery court clients last 9 year? 10 MS. LEYIMU: Object to the form of 11 the question. 12 A. Do you mean with -- what that 13 amount was? 14 Q. Correct. 15 A. It's, you know, changed, obviously, 16 over the years. At the present time, the fee 17 for Akron Recovery Court costs are -- is \$145. 18 Q. And that's \$145 assessed to each 19 client of the recovery court? 20 A. That's correct. 21 Q. Are there additional charges that 22 may be charged to a recovery court client? 23 A. There are. 24 Q. What are those other categories of 25 charges?</p>	<p style="text-align: right;">Page 197</p> <p>1 category of charges charged directly by Oriana 2 House, how much does Oriana House charge each 3 client? 4 A. The current program fee is \$20 per 5 month. Typically, it's a \$260, you know, fee. 6 Q. So that would be \$260 annually? 7 A. That's correct. 8 MS. WU: So I'd like to mark as 9 Exhibit 11 the 2018 budget plan for the City of 10 Akron. This is a public document with no Bates 11 stamp. 12 - - - - - 13 (Thereupon, Deposition Exhibit 11, 14 Document Titled "2018 Budget Plan, 15 City of Akron, Ohio", was marked for 16 purposes of identification.) 17 - - - - - 18 Q. Mr. Sturmi, are you familiar with 19 the document which has been marked as 20 Exhibit 11? 21 A. I've seen, you know, this document 22 maybe a couple times in my career. Again, I'm 23 not involved in the budgeting process. That's 24 not a job task of mine. 25 Q. So I'd like to call your attention</p>

<p style="text-align: right;">Page 198</p> <p>1 to page 187 of the budget document.</p> <p>2 A. Okay.</p> <p>3 Q. Now, from pages 187 through 195, we</p> <p>4 see municipal court budget information. Are</p> <p>5 you familiar with the -- this municipal court</p> <p>6 budget?</p> <p>7 MS. LEYIMU: Object to the form of</p> <p>8 the question.</p> <p>9 A. I'm familiar in the sense that, you</p> <p>10 know, I know what it is, but it's not a</p> <p>11 document that I have, really, any involvement</p> <p>12 with.</p> <p>13 Q. Is the recovery court's budget a</p> <p>14 subsection of this broader municipal court</p> <p>15 budget?</p> <p>16 MS. LEYIMU: I'll object to the</p> <p>17 form.</p> <p>18 A. I don't see any particular notation</p> <p>19 that has that.</p> <p>20 Q. Do you have any involvement in</p> <p>21 providing budget information for the recovery</p> <p>22 court?</p> <p>23 MS. LEYIMU: Object to the form.</p> <p>24 Asked and answered.</p> <p>25 A. Not specifically, other than,</p>	<p style="text-align: right;">Page 200</p> <p>1 budget, year over year?</p> <p>2 MS. LEYIMU: Object to the form.</p> <p>3 A. I don't. I don't have any specific</p> <p>4 knowledge of that.</p> <p>5 Q. Have you had any involvement in</p> <p>6 identifying grants for the recovery court?</p> <p>7 MS. LEYIMU: Object to the form.</p> <p>8 A. My only involvement is reviewing</p> <p>9 e-mail communication that is occasionally sent</p> <p>10 to me that identifies that, you know, grants</p> <p>11 are being released. So if and when I become</p> <p>12 aware of those, I will forward those, you know,</p> <p>13 to the appropriate staff for their review.</p> <p>14 MS. WU: All right. So I'd like to</p> <p>15 mark as Exhibit 12 this Summit and Akron's</p> <p>16 First Amended Responses and Objections to the</p> <p>17 Distributor Defendants Third Set of</p> <p>18 Interrogatories.</p> <p>19 - - - - -</p> <p>20 (Thereupon, Deposition Exhibit 12,</p> <p>21 Summit County and City of Kron, Ohio</p> <p>22 Plaintiff's First Amended Responses</p> <p>23 and Objections to Distributor</p> <p>24 Defendants' Third set of</p> <p>25 Interrogatories, was marked for</p>
<p style="text-align: right;">Page 199</p> <p>1 again, each year the managers of each</p> <p>2 department meet to talk about, you know,</p> <p>3 budgets and wish lists and all that good stuff,</p> <p>4 but I don't -- I don't present any specific</p> <p>5 data or reports for that.</p> <p>6 Q. Have you personally ever requested</p> <p>7 funding which was denied?</p> <p>8 MS. LEYIMU: Object to the form.</p> <p>9 A. I don't have any recollection of</p> <p>10 that.</p> <p>11 Q. Other than money from the City of</p> <p>12 Akron, how is the recovery court funded?</p> <p>13 MS. LEYIMU: Object to the form.</p> <p>14 Asked and answered.</p> <p>15 A. You know, my understanding of -- of</p> <p>16 how, you know, the recovery court is funded is,</p> <p>17 again, primarily through the general budget of</p> <p>18 the Akron Municipal Court, and then additional</p> <p>19 funding from the Summit County ADM Board.</p> <p>20 Those are the two primary, you know, funding</p> <p>21 sources. Occasionally, we would get a grant or</p> <p>22 something of that nature, but those are -- are,</p> <p>23 you know, the main ones.</p> <p>24 Q. Do you have any knowledge of the</p> <p>25 trend in the size of the municipal court's</p>	<p style="text-align: right;">Page 201</p> <p>1 purposes of identification.)</p> <p>2 - - - - -</p> <p>3 Q. Mr. Sturmi, are you familiar with</p> <p>4 the document identified as Exhibit 12?</p> <p>5 A. I don't have a recollection of</p> <p>6 specifically reviewing this document.</p> <p>7 Q. Were you involved in preparing this</p> <p>8 inform- -- the information set forth in Exhibit</p> <p>9 12?</p> <p>10 MS. LEYIMU: Object to the form.</p> <p>11 MS. FLOWERS: Objection to the --</p> <p>12 to the extent it calls for attorney-client</p> <p>13 privilege.</p> <p>14 Go ahead and answer.</p> <p>15 A. I'm sorry. Could you repeat the</p> <p>16 question?</p> <p>17 Q. Were you involved in preparing the</p> <p>18 information set forth in Exhibit 12?</p> <p>19 A. I don't have any recollection of</p> <p>20 that, no.</p> <p>21 Q. Mr. Sturmi, I'd like to call your</p> <p>22 attention to page 15 of Exhibit 12.</p> <p>23 A. Okay.</p> <p>24 Q. First, we go back to page 14,</p> <p>25 there's an interrogatory which reads, "Specify</p>



<p style="text-align: right;">Page 202</p> <p>1 each category of injury, e.g., increased cost  2 of law enforcement, fire, emergency services,  3 et cetera, for which you" -- meaning Summit or  4 Akron -- "claim damages in the litigation, and  5 provide a computation of damages for each  6 category of injury alleged. For each category  7 of injury, identify all persons with knowledge  8 about such damages."  9 Do you see where I've read?  10 A. Yes, I do.  11 Q. Okay. Now, on page 15 you see  12 there's a response from Summit and Akron; do  13 you see that?  14 A. Yes.  15 Q. And that response carries over to  16 page 16 of Exhibit 12, correct?  17 A. Correct.  18 Q. The third bullet on page 16 reads,  19 "Costs associated with increased burden on  20 Plaintiffs' drug courts"; is that correct?  21 A. Yes, that's correct.  22 Q. Do you know what increased burden  23 on Plaintiffs' drug courts is referenced here  24 on page 16?  25 MS. LEYIMU: I'll object to the</p>	<p style="text-align: right;">Page 204</p> <p>1 Interrogatory No. 18.  2 - - - -  3 (Thereupon, Deposition Exhibit 13,  4 The City of Akron, Ohio Plaintiff's  5 Supplemental Responses and  6 Objections to Distributor  7 Defendants' Interrogatory No. 18  8 Pursuant to Special Master Cohen's  9 October 23, 2018 Order, was marked  10 for purposes of identification.)  11 - - - -  12 Q. Mr. Sturmi, are you familiar with  13 Exhibit 13?  14 A. I am not.  15 Q. Did you provide any information in  16 order to prepare Exhibit 13?  17 A. No.  18 Q. Now, I'd like to call your  19 attention to page 5. And it -- I'll read the  20 interrogatory posed for the record, which is,  21 "Specify each category of injury, e.g.,  22 increased cost of law enforcement, fire,  23 emergency services, et cetera, for which you,  24 the City of Akron, claim damages in the  25 litigation, and provide a computation of</p>
<p style="text-align: right;">Page 203</p> <p>1 form of the question.  2 MS. WU: Can you assert the basis  3 for your form objection?  4 MS. LEYIMU: He is not familiar  5 with this document. He did not help to put  6 this document together, as he's just testified.  7 MS. WU: That's not a form  8 objection, Counsel.  9 MS. LEYIMU: It lacks foundation.  10 It is. He can answer. I'm just object- -- I'm  11 objecting for the record.  12 MS. WU: Well, again, that's not a  13 proper form objection.  14 Q. You may answer, Mr. Sturmi.  15 A. Can you repeat the question,  16 please?  17 Q. Certainly. Do you have any  18 knowledge of the increased burden on  19 Plaintiffs' drug courts, which are referenced  20 on page 16 of Exhibit 12?  21 A. I do not.  22 MS. WU: Now I'd like to mark  23 Exhibit 13, which is the City of Akron, Ohio,  24 Plaintiff's Supplemental Responses and  25 Objections to Distributor Defendants</p>	<p style="text-align: right;">Page 205</p> <p>1 damages for each category of injury alleged.  2 For each category of injury, identify all  3 persons with knowledge of such damages."  4 And then, below that, we see the  5 response from the City of Akron. Do you  6 follow?  7 A. Yes.  8 Q. Now, I'd like to ask you to turn to  9 page 6, which is part of the City of Akron's  10 response.  11 A. Okay.  12 Q. At the bottom of page 6, it reads,  13 "Plaintiff's computation is as follows: Past  14 damages related to department costs, including  15 the City of Akron police department, fire  16 department, emergency medical services,  17 municipal court, corrections, law enforcement,  18 police, fire, safety, communications, health  19 costs, related to the provision of health  20 services related to Plaintiff's residents' use,  21 abuse, and overdose from opioids and the lost  22 tax revenue, \$340 billion [sic]."  23 Do you have any knowledge of how  24 the computation set forth in this bullet was  25 made?</p>

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1 MS. FLOWERS: Objection. Lack of  
2 foundation.  
3 A. I do not.  
4 Q. Do you have any knowledge of the  
5 costs associated with the municipal court,  
6 which are referenced on page 6 of Exhibit 13?  
7 MS. FLOWERS: The same objection.  
8 A. Again, I was not involved, you  
9 know, in that computation or process.  
10 Q. Okay. Are you aware of any costs  
11 imposed on the recovery court specifically  
12 based on opioid use in Akron?  
13 A. Money costs or social costs or --  
14 that's a rather vague term.  
15 Q. Sure. Are you aware of any  
16 financial costs imposed on the recovery court  
17 specifically based on opioid use in Akron?  
18 A. Aware in what regard?  
19 Q. Are you aware of any dollars  
20 expended by the recovery court in connection  
21 with opioid abuse in Akron?  
22 A. Yes.  
23 Q. How many dollars?  
24 MS. LEYIMU: Object to the form.  
25 MS. FLOWERS: Objection.

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1 A. I can't quantify that. I can only  
2 speak to, you know, there are costs associated  
3 with the -- the treatment of the individuals  
4 that are in our program. We don't do it for  
5 free. It's not -- it's not free, so, you know,  
6 the services that we provide cost money.  
7 Q. Which portion of your services do  
8 you attribute to the abuse of opioids within  
9 Akron?  
10 MS. LEYIMU: Object to the form.  
11 A. Could you repeat the question,  
12 please?  
13 Q. Sure. Let me try again.  
14 Do you have any basis upon which to  
15 apportion the amount of your direct  
16 expenditures from the recovery court have been  
17 expended due to the abuse of opioids in Akron?  
18 A. I don't have the specific  
19 computation of money. What I can speak to is  
20 that significant time, energy, and resources,  
21 whether that's myself or other members of the  
22 recovery court team, spend a lot of our days  
23 dealing with clients that are suffering with an  
24 opiate use disorder, and because these clients  
25 are high risk, high need, they demand a lot of

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1 attention, a lot of services.  
2 Q. Do you have any basis upon which to  
3 apportion the amount of resources, to use your  
4 terminology, that the recovery court has  
5 expended due to the abuse of opioids in Akron?  
6 MS. LEYIMU: Object to the form.  
7 A. I would say that for the past  
8 several years, the Akron Recovery Court has  
9 expanded [sic] a lot of resources on this  
10 problem.  
11 Q. Do you have any way to apportion  
12 the proportion of your resources that have been  
13 spent in response to opioid abuse in Akron?  
14 A. I don't have a way of -- of  
15 quantifying the computation. Again, what I  
16 would say is the individuals that work in the  
17 Akron Recovery Court spend a lot of their time,  
18 energy, and resources dealing with, working  
19 with, treating and assisting offenders that  
20 have been identified as in need of services and  
21 who have been diagnosed with an opiate use  
22 disorder.  
23 Q. Do you have any basis upon which to  
24 apportion the amount of recovery court  
25 resources -- again, to use your terminology --

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1 that the recovery court has expended due to the  
2 specific abuse of prescription opioids in  
3 Akron?  
4 A. Again, I don't have a specific way  
5 to quantify that. I just know that dealing  
6 with the clients that I deal with every day,  
7 especially clients that have been identified as  
8 having an opiate use disorder, demand a lot of  
9 my time and a lot of my staff's time because  
10 these clients have significant needs.  
11 Q. Are there any records that one  
12 could consult in order to apportion the amount  
13 of recovery court resources which have been  
14 expended to address prescription opioid abuse  
15 in Akron?  
16 A. That's difficult for me to answer.  
17 You know, that's not my expertise, you know.  
18 The bottom line is I just can say  
19 that for the past several years, the opioid,  
20 you know, epidemic that has occurred and  
21 continues to occur here in Summit County has  
22 exhausted a lot of our -- our staff's time,  
23 because, again, these clients that have an  
24 opiate use disorder are high risk, high need,  
25 and need a number of services.

<p style="text-align: right;">Page 210</p> <p>1 Q. I'm going to ask my question again.  2 Are there any records that one  3 could consult in order to apportion the amount  4 of recovery court resources that you have  5 expended to address prescription opioid abuse  6 in Akron?  7 MS. LEYIMU: Object to the form.  8 A. I'm not aware of any specific way  9 to determine that.  10 Q. Are you aware of anyone within the  11 municipal court system who would have that  12 expertise?  13 A. Not to my knowledge.  14 MS. WU: Okay. Exhibit 14, AKRON  15 001102114.  16 - - - - -  17 (Thereupon, Deposition Exhibit 14,  18 September 2016 E-Mail Chain Re: ATP  19 Memo - Changes/Eligibility  20 Modifications, with Attachment,  21 AKRON_001102114 to 01102116, was  22 marked for purposes of  23 identification.)  24 - - - - -  25 Q. Mr. Sturmi, are you familiar with</p>	<p style="text-align: right;">Page 212</p> <p>1 clients?  2 A. Initially it was specific to  3 medication-assisted treatment, paying for  4 medication-assisted treatment, for any client  5 that either didn't have insurance to pay that  6 or were not receiving Medicaid.  7 Q. In its current form, what does the  8 ATP program provide to recovery court clients?  9 A. It expanded the number of  10 medication-assisted treatments that the project  11 would potentially pay for. So it now includes  12 Vivitrol, Suboxone, methadone.  13 Q. Does it provide any non-medication  14 services to recovery court clients?  15 A. It can and it does.  16 Q. What are those other services?  17 A. There is, you know, a list --  18 although this speaks to including that list,  19 I'm not seeing the form that I'm accustomed to  20 seeing that actually lists all of those. You  21 know, this just speaks in a little bit more  22 general terms as far as wanting to expand it,  23 but I'm not seeing the -- the specifics of that  24 in this form.  25 Q. Do you know of any document that</p>
<p style="text-align: right;">Page 211</p> <p>1 the document identified as Exhibit 14?  2 A. I have a recollection of -- of  3 seeing this document, yes.  4 Q. What is it?  5 A. It's initially an e-mail indicating  6 that there were changes to the ATP program  7 through the Ohio Department of Mental Health  8 and Addiction Services.  9 Q. Is this the OMHAS ATP program that  10 you referenced in your testimony earlier today?  11 A. Yes, it is.  12 Q. When did the recovery court start  13 to participate in the ATP program?  14 A. The initial, you know, ATP project,  15 I believe, started in roughly 2015 or 2016, in  16 that ballpark.  17 Q. What benefits has the recovery  18 court obtained through participation in the ATP  19 program?  20 A. Well, potentially the benefits, you  21 know, are additional resources to a client that  22 is found eligible, you know, for this  23 particular project.  24 Q. What types of resources does the  25 ATP program make available to recovery court</p>	<p style="text-align: right;">Page 213</p> <p>1 provides a list of the Addiction Treatment  2 Program benefits to recovery court  3 participants?  4 A. Yeah, I recall seeing a form that  5 listed; you know, I believe it was termed  6 "recovery supports."  7 Q. To the best of your recollection,  8 what are those non-medication,  9 treatment-related services?  10 A. Yeah. It -- it spoke to expansion  11 as far as potentially -- an example would be  12 housing assistance. If -- if it could be  13 demonstrated that that client could benefit  14 from receiving monies, potentially, to -- to  15 get into some sort of apartment complex or  16 recovery housing. There was the ability to  17 obtain transportation assistance, whether that  18 was bus passes, Uber, you know, to try and help  19 that offender get from point A to point B.  20 I think one of the last examples  21 that I recall was obtaining educate -- or  22 employment-specific assistance that, you know,  23 if that person needed monies for a uniform or  24 for, you know, things of that nature. There  25 was an allowance for that.</p>

<p style="text-align: right;">Page 214</p> <p>1 Q. Does participation in the ATP 2 program defray the costs that the recovery 3 court would -- would otherwise incur to service 4 its clients? 5 MS. LEYIMU: Object to the form. 6 A. Sadly, I have not seen that. The 7 ATP project, you know, has not been utilized 8 in -- in the manner that I would have hoped 9 that it would have been. It requires the 10 treatment provider to provide the funds first 11 and then bill the ADM Board, and to my 12 knowledge, treatment agencies have not been 13 making a lot of those requests. 14 Q. And just to clarify, the recovery 15 court itself is not a treatment provider, 16 correct? 17 A. That's correct. We're not 18 permitted, you know, to apply for those funds. 19 Q. Does the recovery court receive 20 other grants? 21 A. Not at the present time. And we -- 22 again, we -- we're always looking for abilities 23 to increase our services and -- and assist our 24 clients. So we're always open and receptive to 25 receiving additional monies, but at the present</p>	<p style="text-align: right;">Page 216</p> <p>1 Exhibit 15? 2 A. I'm still reviewing. 3 Q. Okay. 4 A. Okay. I've reviewed it. 5 Q. Okay. What is Exhibit 15? 6 A. It's some e-mail communication that 7 speaks to another funding mechanism through the 8 Ohio Department of Mental Health and Addiction 9 Services. 10 Q. What's the funding mechanism 11 referenced in Exhibit 15? 12 A. I believe the term of this is the 13 "payroll subsidy project." 14 Q. Are you familiar with the payroll 15 subsidy project? 16 A. In a very generic way. I'm -- I'm 17 aware of it, but I don't -- I don't have a lot 18 of involvement with it. 19 Q. What's your knowledge of the 20 payroll subsidy project? 21 A. My understanding is that for 22 specialized dockets that are certified through 23 the Ohio Supreme Court, that the Ohio 24 Department of Mental Health and Addiction 25 Services provides some funding to assist courts</p>
<p style="text-align: right;">Page 215</p> <p>1 time I'm not aware of any specific grants that 2 are in the working. No applications have been 3 processed. 4 Q. Do you have any responsibilities 5 for identifying grants for application? 6 A. Not specifically, no. 7 Q. Who has those responsibilities? 8 A. The Akron Municipal Court employs a 9 community outreach coordinator. Her name is 10 Nicole Hagy. I believe one of her job tasks 11 are to investigate, you know, possible funding, 12 you know, sources; not just for the Akron 13 Recovery Court, but for any parts of the our 14 court system that could benefit from a grant. 15 MS. WU: So I'd like to mark as 16 Exhibit 15, AKRON 001100947. 17 - - - - - 18 (Thereupon, Deposition Exhibit 15, 19 May/June 2016 E-Mail Chain Re: 20 Project Information Needed by 21 6/6/16, AKRON_001100947 to 22 001100949, was marked for purposes 23 of identification.) 24 - - - - - 25 Q. Mr. Sturmi, do you recognize</p>	<p style="text-align: right;">Page 217</p> <p>1 with whatever they determine they want to use 2 those funds for. 3 Our court, I believe, primarily 4 uses the payroll subsidy project in the manner 5 that -- that it's titled. You know, part of 6 each staff that is on our specialized dockets, 7 a proportion of their salary is paid for, at 8 least temporarily, through this project. 9 Q. When did the recovery court first 10 participate in the payroll subsidy project? 11 A. I want to say it's been at least, 12 you know, two or three years. 13 Q. Was the payroll subsidy project 14 available prior to that time? 15 A. Not to my knowledge, no. It was 16 somewhat of a newer, you know, project that -- 17 that OMHAS, you know, came out with. 18 Q. What portion of the recovery court 19 payroll is currently funded by the payroll 20 subsidy project? 21 A. I can't speak to that. I know that 22 for me, because certainly a part of my salary 23 is a part of that, it's, I believe -- because I 24 know I have to complete a report. That report 25 has changed. It's more generic. It's even an</p>



<p style="text-align: right;">Page 218</p> <p>1 online, you know, survey program.  2 But the bottom line is I believe  3 that our court applies for between 50 to 75  4 percent, you know, of my payroll, you know, to  5 be paid for through that.  6 Q. Where would we look to determine  7 what portion of the recovery court payroll is  8 currently funded by the payroll subsidy  9 project?  10 A. I believe those records, you know,  11 would be accessible through the Ohio Department  12 of Mental Health and Addiction Services or  13 through the Akron Municipal Court  14 administrator, Montrella Jackson.  15 Q. Now, if we look at the very top  16 e-mail, an e-mail from Judge Oldfield on  17 Exhibit 15, it reads, "There are specific  18 reporting requirements for the use of these  19 funds," the payroll subsidy project funds.  20 What are the reporting requirements  21 provided in connection with the payroll subsidy  22 project?  23 A. The only requirements that I recall  24 is submitting a form to OMHAS twice a month,  25 and that form requires us to identify the name</p>	<p style="text-align: right;">Page 220</p> <p>1 recovery court?  2 A. I am.  3 Q. So you personally maintain the  4 reports for the payroll subsidy project?  5 A. I don't recall if I specifically  6 have a copy of that document, if Mr. Ingram has  7 a copy of that document, or if Montrella  8 Jackson has a copy of that document, but I'm  9 pretty certain that somebody in our court has a  10 copy of that document.  11 MS. LEYIMU: Is this a good time to  12 take a break? We've been going for over an  13 hour now.  14 MS. WU: Sure, that's fine.  15 MS. LEYIMU: Great.  16 THE VIDEOGRAPHER: Off the record  17 at 3:13 p.m.  18 (A recess was taken.)  19 - - - - -  20 (Thereupon, Deposition Exhibit 16,  21 6/27/2017 E-Mail Chain Re: For  22 Immediate Release, County of Summit  23 Awarded Nearly \$1 Million, etc.,  24 with Attachment, SUMMIT_001274385 to  25 001274391, was marked for purposes</p>
<p style="text-align: right;">Page 219</p> <p>1 of the docket, what type of docket it is, to  2 determine how many clients were served during  3 that specific reporting period, which I believe  4 was six months; hence, why it's two times a  5 year.  6 And in addition to that, initially  7 the reports asked for more specific data as far  8 as clients that graduated from the program;  9 clients that were still in the program that  10 were being carried over, for lack of a better  11 term, to the next reporting period;  12 approximately how much time the staff member  13 was -- was spending on that docket. And, you  14 know, the last recollection I had was,  15 obviously, identifying what my salary was and  16 then approximating what the request, you know,  17 was going to be made for that subsidy.  18 Q. Do you main- -- maintain copies of  19 the reports that you've prepared in connection  20 with the payroll subsidy project?  21 A. They're all electronic now, you  22 know. My recollection is, you know, yeah,  23 each -- each program coordinator would keep a  24 copy of that document.  25 Q. And who's the coordinator for the</p>	<p style="text-align: right;">Page 221</p> <p>1 of identification.)  2 - - - - -  3 THE VIDEOGRAPHER: Back on the  4 record at 3:40 p.m.  5 BY MS. LEYIMU:  6 Q. Mr. Sturm, you have in front of  7 you Exhibit 16, which is SUMMIT 001274389.  8 Mr. Sturm, I see you've taken a  9 moment to look at this document. Are you  10 familiar with Exhibit 16?  11 A. Yes.  12 Q. What is it?  13 A. It's a -- well, the initial is an  14 e-mail just indicating that the Summit County  15 was going to do a press release to announce the  16 awarding of the SAMHSA drug court enhancement  17 grant.  18 Q. What is SAMHSA?  19 A. It's the federal Substance Abuse  20 Mental Health Services Administration.  21 Essentially a -- the federal arm that assists  22 in substance abuse and mental health, you know,  23 treatment or programming.  24 Q. What is the nature of the grant,  25 which is announced in the press release at</p>



<p style="text-align: right;">Page 222</p> <p>1 Exhibit 16?</p> <p>2 A. Well, it speaks to the fact that it</p> <p>3 was awarded. It speaks to the fact that it was</p> <p>4 a multi-jurisdictional drug court program, so</p> <p>5 this wasn't exclusive to the -- to the Akron</p> <p>6 Recovery Court. It also included the Summit</p> <p>7 County Turning Point Program.</p> <p>8 Q. What is --</p> <p>9 A. And --</p> <p>10 Q. -- the -- I'm sorry, Mr. Sturmi.</p> <p>11 Please go ahead.</p> <p>12 A. I was just going to indicate, you</p> <p>13 know, it speaks to the main -- or a couple of</p> <p>14 the goals of the grant. In other words, why</p> <p>15 did we ask for the money? You know, what were</p> <p>16 the enhancements that we were looking to</p> <p>17 receive?</p> <p>18 Q. What is the Turning Point Program?</p> <p>19 A. The Turning Point Program is a drug</p> <p>20 court model that's run at the Summit County</p> <p>21 Court of Common Pleas. They are very, very</p> <p>22 similar with the Akron, you know, recovery</p> <p>23 court program.</p> <p>24 They also share the same case</p> <p>25 management, so they are also a contract agency</p>	<p style="text-align: right;">Page 224</p> <p>1 Q. Is that Call to Test program</p> <p>2 currently in place for the recovery court?</p> <p>3 A. It is.</p> <p>4 Q. When was it instituted?</p> <p>5 A. We had a rollout -- was it in</p> <p>6 January? January? I'm trying to think of the</p> <p>7 exact -- because it's -- it's been not quite a</p> <p>8 year. So I -- I want to say maybe February or</p> <p>9 March, you know, is when it actually went live.</p> <p>10 But in that ballpark. Not quite a year.</p> <p>11 Q. Does the recovery court fund the</p> <p>12 Call to Test program using SAMHSA funds?</p> <p>13 A. We do.</p> <p>14 Q. What's the total amount of SAMHSA</p> <p>15 funds that the recovery court received from</p> <p>16 SAMHSA?</p> <p>17 A. I don't have knowledge of that.</p> <p>18 Q. Who would have that information?</p> <p>19 A. I would think the Oriana House</p> <p>20 grant writers that wrote it.</p> <p>21 Q. Does the municipal court keep track</p> <p>22 of grant money received by its courts?</p> <p>23 A. I don't know if they do. I don't.</p> <p>24 I would think that there's a mechanism to -- to</p> <p>25 record that.</p>
<p style="text-align: right;">Page 223</p> <p>1 with the Oriana House, Incorporated.</p> <p>2 Q. Does the recovery -- I'm sorry, the</p> <p>3 Summit Turning Point Program have a separate</p> <p>4 agreement for services with Oriana House?</p> <p>5 A. I can't speak to that. I don't</p> <p>6 know what their agreement is.</p> <p>7 Q. Why did the Turning Point court and</p> <p>8 recovery court team together in seeking SAMHSA</p> <p>9 funds?</p> <p>10 A. You know, we were looking, as,</p> <p>11 hopefully any drug court is, at getting better,</p> <p>12 at improving, trying to provide additional</p> <p>13 resources to our clients.</p> <p>14 Q. What additional resources were you</p> <p>15 hoping to provide to the recovery court</p> <p>16 clients?</p> <p>17 A. The main enhancements were -- was a</p> <p>18 new drug court testing protocol called "Call to</p> <p>19 Test." Essentially it's a program that</p> <p>20 requires clients that are in either of the</p> <p>21 programs to call in on a daily basis. They</p> <p>22 input a pin that's exclusive to them, and then</p> <p>23 the computer program would let that client know</p> <p>24 whether they were or were not selected for a</p> <p>25 random drug test that day.</p>	<p style="text-align: right;">Page 225</p> <p>1 Q. Do you know what portion of the</p> <p>2 almost million dollars that SAMHSA provided to</p> <p>3 Summit and Akron has been awarded to the Akron</p> <p>4 Recovery Court?</p> <p>5 A. I do not.</p> <p>6 MS. WU: I'd like to mark as</p> <p>7 Exhibit 17 AKRON 001114874.</p> <p>8 - - - - -</p> <p>9 (Thereupon, Deposition Exhibit 17,</p> <p>10 9/14/2015 E-Mail from Julie Ellison</p> <p>11 Re: Addiction Treatment Program,</p> <p>12 With Attached "Advisory Committee</p> <p>13 Roster and Participation Agreement,"</p> <p>14 AKRON_001114874 to 001114879, was</p> <p>15 marked for purposes of</p> <p>16 identification.)</p> <p>17 - - - - -</p> <p>18 A. Okay.</p> <p>19 Q. Mr. Sturmi, are you familiar with</p> <p>20 Exhibit 17?</p> <p>21 A. I have a recollection of this.</p> <p>22 Q. What is it?</p> <p>23 A. It's an e-mail communication from</p> <p>24 then Akron Recovery Court presiding Judge</p> <p>25 Oldfield's bailiff, Julie Ellison, that was</p>

<p style="text-align: right;">Page 226</p> <p>1 responding to a request for information for the 2 initial ATP project that looks like it was 3 implemented in roughly 2015. 4 Q. And that's the same ATP project 5 that you testified to earlier today, correct? 6 A. That's correct, yes. 7 Q. I'd like to call your attention to 8 the third page of this document, ending in 9 4877. 10 A. Okay. 11 Q. It's titled "OMHAS ATP 2015 Initial 12 Inquiry Questionnaire." Were you involved in 13 preparing answers to this questionnaire? 14 A. Yes, to a limited extent. I recall 15 the court requesting to obtain, you know, data, 16 you know, on some of these questions where, 17 obviously, you're seeing data-related 18 responses. 19 Q. Were you responsible for providing 20 the data responsive to OMHAS requests? 21 A. In this document or as a general -- 22 Q. In this document. 23 A. I wasn't the only person that was 24 involved in that, but, yes, I was part of that 25 process.</p>	<p style="text-align: right;">Page 228</p> <p>1 there's lots of clients that come into our 2 program but exit very quickly, and 3 consequently, clients that, you know, are with 4 us for an extended period of time. 5 Q. Is it the case that the 135 6 offenders identified on this page reflects an 7 aggregate number for the year? 8 A. My recollection of that would have 9 been if we determined the number was 135, that 10 that means that in that calendar year there 11 were 135 individuals that at one point were 12 active in recovery court. 13 Q. So in -- so in that year there were 14 more than the target 100 clients in the 15 recovery court? 16 A. It would appear so. 17 Q. If we wanted to check that 18 information, where would we look? 19 A. Again, I would think that the 20 Oriana House, Incorporated, would be the best 21 place to obtain that and determine where that 22 number came from. 23 Q. Does the recovery court itself 24 maintain data about the clients it serves? 25 A. To a limited extent. But again,</p>
<p style="text-align: right;">Page 227</p> <p>1 Q. If I can call your attention to 2 Item No. 3 on 4877, it reads, "Please indicate 3 the number of court participants your drug 4 court serves annually." 5 And then the information below 6 reads, "Akron Municipal Drug Court serves 7 approximately 135 offenders each year." 8 A. Okay. I see that. 9 Q. Were you involved in obtaining the 10 average number of offenders served? 11 A. I don't have a specific 12 recollection of that. I know that this 13 document was shared with the Oriana House, 14 Incorporated, so my belief was that, as with 15 many data requests, we would go to our partners 16 with the Oriana House to either obtain that or 17 receive whatever information they had, and 18 that's, I believe, what we did. 19 Q. Do you recall how many clients the 20 recovery court had in 2015? 21 MS. LEYIMU: Object to the form of 22 the question. 23 A. Again, that -- that number can be 24 skewed as far as it's the total number of 25 clients that we served during that year. So</p>	<p style="text-align: right;">Page 229</p> <p>1 since our program started in 1995, that -- that 2 policy and procedure was put in place, that the 3 Oriana House was going to be the primary data 4 collection agency; that our court was not going 5 to -- to keep that data. 6 Q. So if you personally wanted to 7 obtain information about the number of clients 8 served, you would ask Oriana House to provide 9 that data to you? 10 A. That's correct. 11 Q. Now, No. 4 on this page ending 4877 12 reads, "Please estimate the current number of 13 opioid/heroin-addicted court participants who 14 would be appropriate for an integrated drug 15 court treatment." 16 In response, it reads, "Currently, 17 approximately 40 of our 60 active participants 18 are opioid/heroin addicted." 19 A. Yes, I see that. 20 Q. Does this answer reflect that there 21 were 60 active clients at the time that you 22 prepared this questionnaire? 23 A. Yeah. My -- my recollection of 24 that is at this specific time, you know, we did 25 a search of how many active clients that we</p>

<p style="text-align: right;">Page 230</p> <p>1 had, which appears to be 60, and then we went 2 through each of those 60 cases, and to the best 3 of our ability determined whether those 4 individuals, you know, had -- had the diagnosis 5 for an opiate use disorder. It looks like that 6 determination was 40 of those 60 participants 7 met that criteria.</p> <p>8 Q. I want to break down the process 9 for providing this response.</p> <p>10 How did you identify the 60 active 11 participants for the recovery court program?</p> <p>12 A. Well, again, it's three years ago, 13 so, you know, we would have gotten a computer- 14 you know, generated number first, and then in 15 reference to trying to determine whether they 16 appeared to have or did have an opiate use 17 disorder, we would have went through every one 18 of those files and likely just did it the 19 old-fashioned way, you know, and marked for 20 each case whether that person was being treated 21 for that -- that type of disorder.</p> <p>22 Q. Now, you mentioned a 23 computer-generated report as the first step. 24 How would that report be generated?</p> <p>25 A. It would be a simple data request</p>	<p style="text-align: right;">Page 232</p> <p>1 Q. Do the sub- -- substance abuse 2 assessments you referenced provide the basis to 3 differentiate between addiction to prescription 4 and non-prescription opioids?</p> <p>5 A. No. If a client is diagnosed with 6 an opiate use disorder, they're diagnosed with 7 an opiate use disorder. It may speak to their 8 history and use of substances, but the DSM-IV, 9 you know, diagnostic criteria doesn't have 10 that.</p> <p>11 Q. If I were to ask you the same 12 question, please estimate the current number of 13 opioid heroin-addicted court participants as of 14 now, in 2018, could you answer that question as 15 you sit here today?</p> <p>16 MS. LEYIMU: Object to the form.</p> <p>17 A. Obviously, it would be much -- much 18 more prudent for me to review each one of those 19 files, but if you're requesting a guesstimate 20 of our current caseload of, you know, 21 approximately 42 clients, I would say in the 22 neighborhood of 30 would be opiate use disorder 23 diagnosis, in that ballpark.</p> <p>24 Q. Is that estimate based on review of 25 the substance assessment that you referred to</p>
<p style="text-align: right;">Page 231</p> <p>1 to the Oriana House requesting a current count 2 of active recovery court clients.</p> <p>3 Q. The second part of the process you 4 identified was a manual review of client files.</p> <p>5 A. That's correct.</p> <p>6 Q. What files did your team review in 7 order to identify a diagnosis?</p> <p>8 A. We would have looked at each one of 9 their probation files that are kept in the 10 probation department. We would have reviewed 11 their substance abuse -- substance assessment, 12 and then looked at that assessment to determine 13 their diagnosis.</p> <p>14 Q. Short of that manual review 15 process, would there be any other way to 16 identify the number of clients who have been 17 identified as opioid or heroin addicted?</p> <p>18 A. Not to my knowledge.</p> <p>19 Q. In responding to Inquiry No. 4, did 20 your team differentiate between clients 21 addicted to prescription opioids and 22 non-prescription opioids?</p> <p>23 A. I don't believe that we did. Even 24 the question itself doesn't differentiate. It 25 says opioids/heroin, so.</p>	<p style="text-align: right;">Page 233</p> <p>1 earlier?</p> <p>2 A. It's -- it's -- as I sit here 3 today, I would come to that number just by 4 knowing the vast caseload -- or the current 5 caseload that we are supervising, that the vast 6 majority of that roster carry with it an opiate 7 use disorder, and a diagnosis that was deemed 8 as such in their assessment.</p> <p>9 Q. If we wanted to scientifically test 10 the number of clients who are currently 11 diagnosed as addicted to an opioid, how would 12 we test those numbers?</p> <p>13 MS. LEYIMU: Object to the form of 14 the question.</p> <p>15 A. I think the only way to do that 16 would be what we just discussed. You know, 17 looking at their probation file and determining 18 what their diagnosis indicates.</p> <p>19 Q. Is it possible for the recovery 20 court team to identify each client who has been 21 diagnosed with an opioid addiction?</p> <p>22 A. Yes.</p> <p>23 Q. How would you do that?</p> <p>24 A. Well, again, we -- we have a copy 25 of their assessment, so that's the first, most</p>

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1 significant piece, so that diagnosis is there.  
2 But obviously just talking with, getting to  
3 know these clients. We see them on average,  
4 you know, two to four times a week, so, you  
5 know, the caseworkers in particular get to know  
6 these clients very, very well.  
7 Q. In the context of this litigation,  
8 have you been asked to identify the -- the  
9 substance assessment records for all recovery  
10 court clients diagnosed with an opioid  
11 addiction?  
12 A. There's been no -- no request made  
13 to me for that data.  
14 Q. But that is data that could be  
15 produced, correct?  
16 MS. LEYIMU: Object to the form.  
17 MS. FLOWERS: Object to form.  
18 A. I think that any data could be  
19 produced.  
20 Q. You have access to the substance --  
21 substance assessment records that include  
22 diagnoses, correct?  
23 A. That is correct, yes.  
24 Q. And those could be produced in this  
25 litigation?

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1 MS. FLOWERS: Objection.  
2 MS. LEYIMU: Object to form.  
3 A. I can't speak to whether  
4 confidential drug and alcohol assessments can  
5 or cannot be produced in reference to this  
6 litigation. That's not for me to determine. I  
7 know that the document is confidential.  
8 Q. And you haven't been asked to  
9 collect that information?  
10 MS. FLOWERS: Objection. Lack of  
11 foundation.  
12 A. I believe I already answered that  
13 question. The answer was no.  
14 MS. WU: So I'd like to mark as  
15 Exhibit 18 a document identified as AKRON  
16 001114483.  
17 - - - - -  
18 (Thereupon, Deposition Exhibit 18,  
19 3/26/2015 E-Mail from Libby Ellis  
20 Re: SAMSHA Drug Court Grant  
21 Proposal, with Attachment,  
22 AKRON\_001114483 to 001114548, was  
23 marked for purposes of  
24 identification.)  
25 - - - - -

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1 Q. Mr. Sturmi, actually, before we dig  
2 into Exhibit 18, I have one more question about  
3 Exhibit 17.  
4 A. Okay.  
5 Q. Do you know if any of the 40  
6 clients identified as having an opioid  
7 addiction on Exhibit 17 were dually diagnosed  
8 with an addiction to any other substance?  
9 A. I would say that it's likely that  
10 they carried with another substance abuse  
11 diagnosis. Many of our clients, you know, have  
12 other substance abuse diagnoses. It's -- it's,  
13 obviously, each client is different.  
14 Q. If we wanted to determine how many  
15 of those 40 clients had a dual diagnosis, how  
16 would we identify that information?  
17 A. The only mechanism that I'm aware  
18 of is to be able to review their assessment and  
19 the diagnosis that that clinician had -- you  
20 know, had prescribed or had indicated.  
21 Q. Thank you.  
22 A. Sure.  
23 Q. All right. So now on to Exhibit  
24 18. Mr. Sturmi, are you familiar with the set  
25 of documents identified as Exhibit 18?

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1 A. Again, I have a -- certainly a  
2 recollection of who Ms. Ellis was and what this  
3 exhibit is.  
4 Q. Who is Ms. Ellis?  
5 A. At that -- at that time, she worked  
6 for the Community Health Center. I don't  
7 recall what her title was, but she worked with  
8 Jan Wagner, who's listed as -- you know, copied  
9 on this e-mail. Ms. Wagner at that time was  
10 the C- -- COO or the CEO of the Community  
11 Health Center.  
12 Q. And what is the nature of the  
13 communication identified as Exhibit 18?  
14 A. Again, my recollection was that in  
15 2015, the court -- the Akron Drug Court had  
16 looked at a SAMHSA enhancement grant, and that  
17 this is an RFP for that. And that the person  
18 that was writing this is Ms. Ellis, who works  
19 for the Community Health Center, so they have  
20 their own grant writers at that particular  
21 treatment agency.  
22 Q. I'd like to call your attention to  
23 one piece of this document, which starts at  
24 AKRON 001114533. And it's an attachment to the  
25 e-mail, which is titled "SAMHSA Treatment Drug



<p style="text-align: right;">Page 238</p> <p>1 Court's Proposal Draft One."</p> <p>2 A. And that's 4533?</p> <p>3 Q. Correct.</p> <p>4 A. Okay.</p> <p>5 Q. Now, the second to last paragraph</p> <p>6 on this page, it reads, "Most clients served</p> <p>7 have a co-occurring disorder as well as a</p> <p>8 history of trauma. Admissions to the program</p> <p>9 are typically individuals with multiple</p> <p>10 substance addictions and significant long-term</p> <p>11 behavioral problems."</p> <p>12 A. I see that.</p> <p>13 Q. Were you involved in drafting this</p> <p>14 language?</p> <p>15 A. No, I did not draft this language.</p> <p>16 Q. Is this language consistent with</p> <p>17 your experience with the Akron Recovery Court?</p> <p>18 A. It's a difficult question, you</p> <p>19 know, for me to answer, because, again, each</p> <p>20 client is -- is different. I think this is a</p> <p>21 little bit more of a general, dare I say, grant</p> <p>22 writing, you know, communication. But that's</p> <p>23 what Ms. Ellis chose to put in the document.</p> <p>24 Q. If we wanted to test the statement</p> <p>25 that most clients served by the recovery court</p>	<p style="text-align: right;">Page 240</p> <p>1 question, please?</p> <p>2 Q. Do you agree with the statement</p> <p>3 that admissions to the program are typically</p> <p>4 individuals with multiple substance addictions?</p> <p>5 A. I would say that the majority of</p> <p>6 clients that we serve do have multiple</p> <p>7 substance use disorders.</p> <p>8 Q. In order to test that statement,</p> <p>9 would we look at the substance assessment</p> <p>10 records that you referred to earlier today?</p> <p>11 MS. LEYIMU: Object to the form.</p> <p>12 A. That's one mechanism. But, again,</p> <p>13 assessments aren't perfect documents.</p> <p>14 Q. Where else could we look to verify</p> <p>15 that statement?</p> <p>16 A. Well, a clinician would have to</p> <p>17 make the diagnosis, so there'd have to be some</p> <p>18 sort of assessment that would list that.</p> <p>19 Q. Other than the -- the substance</p> <p>20 assessment documents that you referred to</p> <p>21 earlier today, are there any other documents</p> <p>22 maintained by the recovery court that include</p> <p>23 diagnosis information?</p> <p>24 A. Certainly, we -- we do have</p> <p>25 communication with treatment providers, and</p>
<p style="text-align: right;">Page 239</p> <p>1 have a co-occurring disorder, how would we test</p> <p>2 that assertion?</p> <p>3 MS. LEYIMU: Object to the form of</p> <p>4 the question.</p> <p>5 A. You'd have to determine that they</p> <p>6 have a co-occurring disorder. There would have</p> <p>7 to be some documentation that showed that they</p> <p>8 suffered from multiple -- you know, whether</p> <p>9 that was, you know, obviously mental health</p> <p>10 disability as well as -- as a substance abuse</p> <p>11 issue.</p> <p>12 Q. Would that information be recorded</p> <p>13 on the substance assessment records that you've</p> <p>14 referenced earlier today?</p> <p>15 A. Lots of times it is. Sometimes it</p> <p>16 is not, because the client doesn't disclose</p> <p>17 that. Sometimes we don't determine other</p> <p>18 disorders until we get to know that client, you</p> <p>19 know, better, while they're in our program.</p> <p>20 Q. Do you agree with the statement</p> <p>21 that admissions to the program are typically</p> <p>22 individuals with multiple substance addictions?</p> <p>23 MS. LEYIMU: Object to the form.</p> <p>24 Asked and answered.</p> <p>25 A. I'm sorry. Could you repeat the</p>	<p style="text-align: right;">Page 241</p> <p>1 that would include mental health, you know,</p> <p>2 treatment agencies. And so, there certainly is</p> <p>3 an occasion for a clinician or an agency to</p> <p>4 identify that a client that they are serving is</p> <p>5 suffering from a mental health disability</p> <p>6 and -- and has a specific mental health</p> <p>7 diagnosis.</p> <p>8 Q. Is that information aggregated in</p> <p>9 any form?</p> <p>10 MS. LEYIMU: Object to the form.</p> <p>11 A. Not to my knowledge.</p> <p>12 MS. WU: So I'd like to mark as</p> <p>13 Exhibit 19 a printout from a document produced</p> <p>14 as a native Excel document, AKRON 000004078.</p> <p>15 - - - - -</p> <p>16 (Thereupon, Deposition Exhibit 19,</p> <p>17 Spreadsheet Titled "Drug Cases</p> <p>18 2006-2018 Detail," AKRON_000004078,</p> <p>19 was marked for purposes of</p> <p>20 identification.)</p> <p>21 - - - - -</p> <p>22 A. Okay.</p> <p>23 Q. Mr. Sturmi, are you familiar with</p> <p>24 Exhibit 19?</p> <p>25 A. I am not.</p>



<p style="text-align: right;">Page 242</p> <p>1 Q. Do you know if this document 2 reflects data extracted from the Akron 3 Municipal -- Municipal Court database? 4 MS. LEYIMU: Object to the form. 5 A. It appears that this data is 6 consistent with the Akron Municipal Court 7 Information System, or AMCIS, but I don't -- I 8 don't know. I didn't -- I didn't pull it. I 9 didn't run it. 10 Q. Now, I'd like to call your 11 attention to the column labeled "Offense 12 Description." Do you see that? 13 A. I do. 14 Q. Is this the offense description 15 information that you identified as possibly 16 identifying the substance involved in a law 17 enforcement encounter? 18 A. Well, on this document, it is 19 specific to 2006. It's interesting that it 20 says "Drug court cases 2006 to 2018," yet it 21 only lists 2006 cases. These are all '06 22 cases. 23 Q. So here's -- my question is, is the 24 "Offense Description" field the data source 25 that you would consult in order to identify the</p>	<p style="text-align: right;">Page 244</p> <p>1 A. You mean on here or -- 2 Q. Correct, yes. 3 A. Oh. I misunderstood. So I thought 4 you said are there offenses. 5 No. On -- on these -- on these 6 documents, on these cases cited here, there's 7 not specific reference in the offense 8 description that states opioids. 9 Q. But going to where you were headed, 10 outside of Exhibit 19, are there offense 11 descriptions that specifically reference 12 opioids? 13 A. There are. 14 Q. What are they? 15 A. An example would be drug abuse 16 Vicodin, possession of Vicodin. 17 Q. Are there other law enforcement 18 encounters that would include an opioid that 19 don't reference opioid in the offense 20 description? 21 A. There would. 22 Q. So looking at the offense 23 description doesn't tell us if an opioid was 24 involved in a law enforcement encounter, 25 correct?</p>
<p style="text-align: right;">Page 243</p> <p>1 substance involved in a law enforcement 2 encounter? 3 A. Yes. If this came from AMCIS, we 4 would use this information to determine what 5 they were criminally charged with. 6 Q. Do any of these offense 7 descriptions include a reference to an opioid 8 substance? 9 A. Okay. So I've reviewed that. 10 And again, your -- your question? 11 Could you repeat it, please? 12 Q. Do any of these offense 13 descriptions include a reference to an opioid 14 substance? 15 A. Not specifically a reference to 16 opiates in the offense description. 17 Q. Do they include -- do they 18 generally include a reference to opiates in the 19 offense description? 20 MS. LEYIMU: Object to the form. 21 A. Occasionally, depending upon what 22 the individual's charged with. 23 Q. Could you provide an example of a 24 general reference to opiates in the offense 25 description?</p>	<p style="text-align: right;">Page 245</p> <p>1 MS. LEYIMU: Object to the form. 2 A. It can. 3 Q. But it doesn't necessarily provide 4 that information, correct? 5 MS. FLOWERS: Objection. 6 A. Again, it can, and it does. 7 Q. But it -- it does not always 8 identify the substance involved. 9 A. Clear- -- clearly, it does not 10 always, but it can. 11 Q. Mr. Sturmi, do you use e-mail for 12 your job with the recovery court? 13 A. I do. 14 Q. What is your e-mail address? 15 A. It's jsturmi@akronohio.gov. 16 Q. When did you first receive that 17 e-mail account? 18 A. Well, when I started, you know, 19 with the City of Akron, I got a thank you note 20 way back in 1996. Yeah, pretty certain we had 21 e-mails back then. I know my e-mail address 22 has changed, because it used to be some 23 God-awful lengthy -- you know, so I know it's 24 been its current e-mail address for several 25 years.</p>

<p style="text-align: right;">Page 246</p> <p>1 Q. Do you know when your e-mail 2 address changed? 3 A. I don't recall, you know, when the 4 City made that change, but I know that we were 5 thankful for it. 6 Q. Was it within the last five years? 7 A. I would say it was -- it would have 8 been in the last five years. I think that's, 9 yeah, reasonable. 10 Q. What is the oldest e-mail that's 11 currently accessible to you today, in year? 12 MS. LEYIMU: Object to the form. 13 Q. Are you able to access e-mails back 14 to 1996? 15 A. Well, I don't -- I certainly don't 16 keep e-mails that long for obvious reasons. 17 There's only so much memory, you know, on my 18 computer, so. But I have dated e-mails, but 19 not back to 1996, to my knowledge. 20 Q. Do you know what the oldest e-mail 21 you're able to access? 22 MS. LEYIMU: Object to the form. 23 A. I don't, as I -- as I sit here 24 today. I'd have to be sitting at my computer, 25 you know, looking at it.</p>	<p style="text-align: right;">Page 248</p> <p>1 drug treatment. 2 Q. Does anyone else have access to 3 that Excel file? 4 A. Not without my consent or 5 permission, no. 6 Q. What hard copy files do you keep in 7 connection with your work for the recovery 8 court? 9 A. Only -- only the documents that are 10 in the client probation file. 11 Q. Do you ever text for work? 12 A. No. 13 Q. Did you receive a notice to 14 preserve documents in connection with this 15 litigation? 16 A. Yes, I recall receiving that 17 document. 18 Q. Were you -- 19 A. That e-mail. 20 Q. Were you involved in collecting 21 documents for purposes of this litigation? 22 A. Not -- not specifically. We 23 received a request to pull probation files, and 24 I assigned that task to probation aides. 25 So, yes, I mean, I recall getting a</p>
<p style="text-align: right;">Page 247</p> <p>1 Q. Do you know if you can access any 2 e-mails that predate 2012? 3 A. I don't know if -- if I'm able to 4 do that. 5 Q. Outside of your e-mail, what 6 record-keeping systems do you employ? 7 MS. LEYIMU: Object to the form of 8 the question. 9 A. At work, notes, and utilizing the 10 probation department software system. 11 Q. And what are the software systems 12 that you employ? 13 A. We utilize our GBS probation 14 software program. That's -- 15 Q. And are there any -- 16 A. -- the primary -- 17 Q. I'm sorry, Mr. Sturmi. 18 A. That's okay. 19 Q. Are there any other programs that 20 you use in connection with your work for the 21 recovery court? 22 A. The only other program, you know, 23 that -- that I utilize is an Excel, you know, 24 file, and that's only to track clients that are 25 in residential care, that are in residential</p>	<p style="text-align: right;">Page 249</p> <p>1 request for -- I think it was drug court files 2 from X -- X amount of time to X amount of time, 3 and -- and we produced all those documents. 4 Q. Did the hard copy files that your 5 probation aide collected include substance 6 assessment forms? 7 A. I believe they did. 8 Q. Do you know if those have been 9 produced in this litigation? 10 A. My understanding is that all 11 documents requested have been produced. 12 Q. Do you keep any non e-mail 13 electronic files, such as PowerPoint documents? 14 A. No. 15 Q. Do you keep a file of documents 16 that you have received in connection with 17 trainings related to substance abuse? 18 A. I don't recall keeping anything 19 electronically. I think the only reason I 20 pause at that is you had asked an earlier 21 question in reference to tracking my training 22 hours. I have a recollection of, as it gets 23 closer to when those certifications are due, I 24 will create a simple Word document that would 25 list, you know, those dates and times and</p>

<p style="text-align: right;">Page 250</p> <p>1 compute the hours.</p> <p>2 Q. Do you keep a hard-copy file of</p> <p>3 training materials?</p> <p>4 A. Typically.</p> <p>5 Q. Did you collect those materials for</p> <p>6 purposes of this litigation?</p> <p>7 A. Yes. You know, once again, any and</p> <p>8 all documents that were requested by me or my</p> <p>9 office were produced.</p> <p>10 Q. Mr. Sturmi, do you participate in</p> <p>11 any task forces?</p> <p>12 A. I do.</p> <p>13 Q. Which ones?</p> <p>14 A. The Summit County Opiate Task</p> <p>15 Force.</p> <p>16 Q. What is the nature of your</p> <p>17 involvement in the Summit County Opiate Task</p> <p>18 Force?</p> <p>19 A. You know, I attended, you know, at</p> <p>20 the request of, at that time, our drug court</p> <p>21 judge and have attended ever since. They're</p> <p>22 quarterly meetings that are typically conducted</p> <p>23 at the Summit County ADM Board.</p> <p>24 In addition to that, I'm a member</p> <p>25 of the Summit County Criminal Justice</p>	<p style="text-align: right;">Page 252</p> <p>1 A. My recollection was, you know, when</p> <p>2 it started, you know, in 2014.</p> <p>3 Q. Were you involved in the creation</p> <p>4 of the task force?</p> <p>5 A. No.</p> <p>6 Q. Do you know why the task force was</p> <p>7 created?</p> <p>8 A. Not specifically. I can</p> <p>9 guesstimate why it was developed.</p> <p>10 Q. What is the purpose of the task</p> <p>11 force?</p> <p>12 A. I think primarily, you know, public</p> <p>13 awareness. The ability for Summit County and</p> <p>14 the variety of professionals and citizens that</p> <p>15 live in Summit County that want to learn more</p> <p>16 about the opiate epidemic in our community.</p> <p>17 Q. Do you think that the task force</p> <p>18 has been successful?</p> <p>19 A. I don't know if I can quantify, you</p> <p>20 know, whether it's been successful. I would</p> <p>21 say that it's -- it's successful in the sense</p> <p>22 that there are lots of people that attend. And</p> <p>23 certainly, tasks are being completed. And, you</p> <p>24 know, I view it as being, you know, helpful. I</p> <p>25 don't know if "successful" would be the</p>
<p style="text-align: right;">Page 251</p> <p>1 Subcommittee -- so that task force, as with</p> <p>2 many task force, developed subcommittees with</p> <p>3 certain expertise, and so I serve currently on</p> <p>4 the criminal justice subcommittee of that task</p> <p>5 force.</p> <p>6 Q. What is the work of the criminal</p> <p>7 justice subcommittee of the task force?</p> <p>8 A. It's made up of a variety of law</p> <p>9 enforcement folks, fellow probation officers,</p> <p>10 other staff involved in drug court dockets.</p> <p>11 Obviously law enforcement, so we have various</p> <p>12 chiefs of police, detectives. And we have</p> <p>13 certain goals, agenda items that we address.</p> <p>14 And at every task force meeting, that</p> <p>15 subcommittee reports out.</p> <p>16 Q. What are the nature of the reports</p> <p>17 that your subcommittee generates?</p> <p>18 A. Mostly just, you know, verbal</p> <p>19 reports as far as, hey, here are the things</p> <p>20 that we've, you know, been talking about or</p> <p>21 been discussing. Just trying to provide the</p> <p>22 greater majority of folks what we're working</p> <p>23 on.</p> <p>24 Q. When did you start participating in</p> <p>25 the Summit Opiate Task Force?</p>	<p style="text-align: right;">Page 253</p> <p>1 terminology that I would use.</p> <p>2 Q. How do you believe it's been</p> <p>3 helpful?</p> <p>4 A. I think that it's -- it's been</p> <p>5 helpful because it's enabled all of the</p> <p>6 professionals to be in a better position, if</p> <p>7 they're in public-speaking venues or in</p> <p>8 whatever capacity they're in the community, to</p> <p>9 at least be able to share what Summit County is</p> <p>10 doing to combat that issue.</p> <p>11 Q. Has Akron committed resources to</p> <p>12 the task force?</p> <p>13 MS. LEYIMU: Object to the form of</p> <p>14 the question.</p> <p>15 A. Well, they -- they send me and</p> <p>16 other, you know, individuals that work for the</p> <p>17 City of Akron, so I guess I would consider that</p> <p>18 a resource. I'm being paid while I'm there.</p> <p>19 Q. Do you keep track of the time that</p> <p>20 you spend on tasks for the Opiate Task Force?</p> <p>21 A. Not specifically, no. It's just</p> <p>22 another part of my job duties.</p> <p>23 Q. Do you in any way account for the</p> <p>24 time that you spend servicing clients of the</p> <p>25 recovery court that have been diagnosed with an</p>

<p style="text-align: right;">Page 254</p> <p>1 opioid addiction?</p> <p>2 A. It's a very difficult, you know,</p> <p>3 number to determine. A lot of variables</p> <p>4 involved. I know that a significant amount of</p> <p>5 my time is dedicated to assisting people that</p> <p>6 are suffering with an opiate use disorder,</p> <p>7 because, once again, you know, we're dealing</p> <p>8 with extremely high-risk, high-need offenders.</p> <p>9 Q. I appreciate that. My question is</p> <p>10 a little bit different.</p> <p>11 Do you in any way track the time</p> <p>12 that you spend servicing clients who have been</p> <p>13 diagnosed with an opioid addiction?</p> <p>14 A. No, not specifically.</p> <p>15 Q. Are you familiar with the Akron</p> <p>16 Quick Response Team?</p> <p>17 A. I am.</p> <p>18 Q. What is it?</p> <p>19 A. A Quick Response Team essentially</p> <p>20 is a group, typically, that consists of a</p> <p>21 representative from the local fire department,</p> <p>22 from the local police department -- so</p> <p>23 typically, it's going to be a police officer or</p> <p>24 a detective; a firefighter, typically a medic;</p> <p>25 and then the third person is a substance abuse</p>	<p style="text-align: right;">Page 256</p> <p>1 related to your work in connection with the</p> <p>2 task force?</p> <p>3 A. Not specifically.</p> <p>4 Q. If you have -- do you take notes at</p> <p>5 task force meetings?</p> <p>6 A. Occasionally.</p> <p>7 Q. Do you keep those notes?</p> <p>8 A. I don't throw -- I don't throw them</p> <p>9 away, so, you know, my -- my sense is, yes, you</p> <p>10 know, I -- I would have, you know, those</p> <p>11 documents. You know, it just depends on what</p> <p>12 was going on that particular day. There's lots</p> <p>13 of data and information that's -- you know,</p> <p>14 that's presented at, you know, the task force,</p> <p>15 so.</p> <p>16 Q. Do you keep reports that you've</p> <p>17 received in connection with your work for the</p> <p>18 task force?</p> <p>19 A. I've tried to reduce any and all</p> <p>20 written documentation, trying to embrace</p> <p>21 technology, so I rarely keep hard copies of</p> <p>22 anything.</p> <p>23 Q. Have you collected your notes and</p> <p>24 reports from the task force for purposes of</p> <p>25 this litigation, whether they be hard copy or</p>
<p style="text-align: right;">Page 255</p> <p>1 counselor.</p> <p>2 My understanding of a QRT is that</p> <p>3 when an individual has an overdose in Summit</p> <p>4 County -- and, thankfully, they survive from</p> <p>5 that overdose -- that that information is</p> <p>6 shared with that respective QRT team, as long</p> <p>7 as there is one in that jurisdiction, and</p> <p>8 that that team would physically go out to the</p> <p>9 address of the overdose victim within typically</p> <p>10 a couple days of the overdose and they're</p> <p>11 discharged from the hospital, to inquire about</p> <p>12 receiving assistance.</p> <p>13 Q. Do you participate in the QRT for</p> <p>14 Akron?</p> <p>15 A. I do not.</p> <p>16 Q. Does anyone from the recovery court</p> <p>17 participate in that team?</p> <p>18 A. Not at the present time.</p> <p>19 Q. In previous years, did anyone from</p> <p>20 the recovery court participate in the Akron</p> <p>21 QRT?</p> <p>22 A. No.</p> <p>23 Q. A short while ago we were talking</p> <p>24 about the Summit Opiate Task Force.</p> <p>25 Do you have -- maintain documents</p>	<p style="text-align: right;">Page 257</p> <p>1 electronic?</p> <p>2 A. Any and all, you know, requests</p> <p>3 for -- for data from me, you know, I provided.</p> <p>4 I can't speak to whether that did or did not</p> <p>5 include, you know, information in referenced to</p> <p>6 the Summit County Opiate Task Force.</p> <p>7 Q. Okay.</p> <p>8 A. I know that I turned over literally</p> <p>9 hundreds of documents, so.</p> <p>10 MS. WU: And could we go off the</p> <p>11 record for just a moment? I just want to pass</p> <p>12 the mic, if that's okay.</p> <p>13 THE VIDEOGRAPHER: Going off the</p> <p>14 record at 4:31 p.m.</p> <p>15 (An off-the-record discussion was held.)</p> <p>16 THE VIDEOGRAPHER: Back on the</p> <p>17 record at 4:32 p.m.</p> <p>18 EXAMINATION OF JEFFREY STURMI</p> <p>19 BY MR. RAIOLA:</p> <p>20 Q. Good afternoon, Mr. Sturmi. As I</p> <p>21 mentioned this morning, my name is Stephen</p> <p>22 Raiola. I'm also with Covington &amp; Burling on</p> <p>23 behalf of McKesson. I just have a few</p> <p>24 questions for you.</p> <p>25 Earlier this morning you testified</p>

<p style="text-align: right;">Page 258</p> <p>1 a little bit about how you've received, I 2 think, every two years, or you've gone to 3 trainings every two years as part of your 4 continuing education for your license; is that 5 correct? 6 A. That's correct, yes. 7 Q. And I believe you mentioned that 8 you attended a training sometime this summer, 9 July 2018; is that correct? 10 A. Yes. My recollection is that I 11 attended the 2018 Ohio State University 12 Institute of Addiction Studies. That's 13 typically a conference that I try to attend 14 each summer. 15 MR. RAIOLA: Okay. We're just 16 waiting for one copy of the document for you. 17 THE WITNESS: Sure. 18 - - - - - 19 (Thereupon, Deposition Exhibit 20, 20 Web Printout Titled "2018 Session 21 Descriptions", was marked for 22 purposes of identification.) 23 - - - - - 24 Q. The court reporter has just marked 25 as Exhibit 20 a public document. It's not</p>	<p style="text-align: right;">Page 260</p> <p>1 Q. -- but if you look at the bottom, 2 A8, it says, "Opiate use and abuse in the 3 context of illegal," and on the top of the next 4 page it says, "drug culture." 5 Do you see that? 6 A. I do. 7 Q. Did you attend this -- this module 8 of the training at all? 9 A. I don't believe that I selected 10 this particular session, no. 11 Q. Okay. And if you look in the 12 middle of the page in this -- or of the 13 description of A8, there's a sentence that 14 begins -- it's about midway into that 15 paragraph -- that says, "The opioid epidemic is 16 not the result of any one thing but a set of 17 interacting events that cannot be simply 18 explained by any one event, e.g., physician 19 overprescribing." 20 Do you see that? 21 A. I do. 22 Q. Would you agree with that 23 statement? 24 MS. LEYIMU: Object to the form. 25 A. I'm not sure if I -- if I would</p>
<p style="text-align: right;">Page 259</p> <p>1 Bates-stamped? 2 And this is a printout of the 3 20- -- 2018 session descriptions from the 4 Addiction Studies Institute. 5 Do you recognize this document? 6 A. Yes, I have a recollection of this 7 document. 8 Q. What is it? 9 A. It was an online description of the 10 training sessions that one could attend, 11 obviously, if they were attending this 12 conference. 13 Q. And -- and the conference you're 14 referring to is the July 2018 Addiction Studies 15 Institute training that you attended; is that 16 correct? 17 A. Yes, that's correct, uh-huh. 18 Q. Okay. Can you turn to page -- can 19 you turn to page 5 of this document -- or I 20 guess page 4 of this document? 21 A. What would be at the top? 22 Q. On the -- on the bottom of the 23 page -- so on the top of the page is "A6, 24 Ethics from a Legal Perspective" -- 25 A. Yes.</p>	<p style="text-align: right;">Page 261</p> <p>1 specifically agree with that statement. 2 Obviously, I didn't author it. 3 Q. Do you have any basis to disagree 4 with that statement? 5 MS. LEYIMU: Object to the form of 6 that question. 7 A. Other than I didn't -- I didn't 8 author it. 9 MR. RAIOLA: Okay. I'm done. 10 MS. WU: Do you want to take a 11 quick break just to let us rearrange? 12 MS. LEYIMU: Sure. 13 MS. WU: If that's okay? 14 THE WITNESS: Fine by me. 15 THE VIDEOGRAPHER: Off the record 16 at 4:37 p.m. 17 (A recess was taken.) 18 THE VIDEOGRAPHER: Back on the 19 record at 4:57 p.m. 20 EXAMINATION OF JEFFREY STURMI 21 BY MS. RENDON: 22 Q. Mr. Sturmi, as I mentioned earlier 23 this morning, my name is Carole Rendon, and I 24 represent the Endo Defendants in this 25 litigation.</p>



<p style="text-align: right;">Page 262</p> <p>1 I had a quick question about</p> <p>2 Exhibit 20, which I think is right in front of</p> <p>3 you.</p> <p>4 You testified that you did not</p> <p>5 attend the one section that you were asked</p> <p>6 about. My memory is it was A8. And so my</p> <p>7 question is to you is, looking through there,</p> <p>8 can you tell us which -- which one of the</p> <p>9 sections you did attend?</p> <p>10 A. Sure. Specific to just the "A"?</p> <p>11 Q. Correct.</p> <p>12 A. Okay.</p> <p>13 Q. In that track, which one did you</p> <p>14 select?</p> <p>15 A. Okay. I attended A2, "Addiction in</p> <p>16 the Family, Using a Strength-Based Model for</p> <p>17 Treatment and Recovery." That was the full-day</p> <p>18 one.</p> <p>19 Is that what you were referring to,</p> <p>20 or the B?</p> <p>21 Q. No. Correct, the A track.</p> <p>22 A. Yes.</p> <p>23 Q. Did anybody else from the drug</p> <p>24 court attend this training?</p> <p>25 A. I'm trying to think if there were</p>	<p style="text-align: right;">Page 264</p> <p>1 with Judge Oldham, I'm generally dealing with</p> <p>2 the assistant city prosecutor that's assigned</p> <p>3 to that respective court.</p> <p>4 Q. And that assistant city prosecutor</p> <p>5 is also responsible for the recovery court; is</p> <p>6 that correct?</p> <p>7 A. That's correct.</p> <p>8 Q. And that individual, I know you</p> <p>9 mentioned his name earlier, but I have</p> <p>10 forgotten it.</p> <p>11 A. Yeah. And it changes because they</p> <p>12 rotate their prosecutors about every six</p> <p>13 months, but at the present time his name is</p> <p>14 Ben; his last name is Carro.</p> <p>15 Q. And how do you spell that, please?</p> <p>16 A. C-a-r-r-o.</p> <p>17 Q. And so focusing for a minute on</p> <p>18 your conversations with Ms. Wilms -- because</p> <p>19 she's been the city prosecutor for a number of</p> <p>20 years, correct?</p> <p>21 A. She has.</p> <p>22 Q. So although your room prosecutor</p> <p>23 changes periodically, she, in her position, has</p> <p>24 been steady and has not changed; is that right?</p> <p>25 A. That's correct.</p>
<p style="text-align: right;">Page 263</p> <p>1 any other representatives.</p> <p>2 No. The reason is we had a drug</p> <p>3 court session, you know, that week, and so we</p> <p>4 couldn't peel additional staff to attend. Sent</p> <p>5 myself, but still had to have the session</p> <p>6 proceed, so I was the only one.</p> <p>7 Q. Okay. In your work for the</p> <p>8 recovery court in Akron, how much contact do</p> <p>9 you have with the prosecutor of the City of</p> <p>10 Akron?</p> <p>11 A. The assistant? The assistant city</p> <p>12 prosecutors, or the chief city prosecutor, or</p> <p>13 all of them?</p> <p>14 Q. The chief city prosecutor,</p> <p>15 Ms. Wilms?</p> <p>16 A. I certainly see Ms. Wilms on a</p> <p>17 regular basis. I don't have a ton of contact</p> <p>18 with her unless there's a need-based reason for</p> <p>19 me to communicate with her.</p> <p>20 Q. So is there somebody else within</p> <p>21 the city prosecutor's office that you have more</p> <p>22 regular contact with?</p> <p>23 A. Well, each of our judges are</p> <p>24 assigned an assistant city prosecutor for their</p> <p>25 courtroom, so because most of my time is spent</p>	<p style="text-align: right;">Page 265</p> <p>1 Q. And so one of the things I'd like</p> <p>2 to understand is how often the two of you talk</p> <p>3 about trends that you're seeing in the city of</p> <p>4 Akron that might affect her work as the</p> <p>5 prosecutor or your work as the probation</p> <p>6 officer in charge of the recovery court.</p> <p>7 A. Not a significant amount of time.</p> <p>8 Q. Can you give me a rough estimate of</p> <p>9 how often a week you might talk to her?</p> <p>10 A. Sometimes not at all.</p> <p>11 Q. Is it the kind of thing where you</p> <p>12 have a set monthly meeting or quarterly meeting</p> <p>13 to make sure that whatever trends she's seeing</p> <p>14 from her position as the city prosecutor you're</p> <p>15 aware of and vice versa?</p> <p>16 MS. LEYIMU: Object to the form.</p> <p>17 You can answer.</p> <p>18 A. What I would say is we meet on an</p> <p>19 as-needed basis, depending upon the</p> <p>20 circumstances, whether that's a request from</p> <p>21 her or request from me.</p> <p>22 We don't have set staff meetings,</p> <p>23 you know, with her. I see her in various</p> <p>24 community functions that I go to. She's a</p> <p>25 member of the Summit County Opiate Task Force.</p>

<p style="text-align: right;">Page 266</p> <p>1 But I don't have regular meetings with her.  2 Q. When's the last time that you had a  3 meeting with her regarding the opioid situation  4 in the city of Akron?  5 A. I don't recall a specific meeting  6 with, you know, Ms. Wilms to -- to address  7 that.  8 Q. What about the Summit County  9 Prosecutor's Office? Do you have any ongoing  10 working relationship with members of the Summit  11 County Prosecutor's Office?  12 A. I have no involvement with Summit  13 County Prosecutor's Office.  14 Q. What about the Akron Division of  15 Police?  16 A. I have regular contact with our  17 police department, primarily through the SNUD  18 detective that's assigned to the Akron Recovery  19 Court program.  20 Q. And in connection with your  21 communications with the Akron Division of  22 Police, how often are you talking about trends  23 that the police department is seeing and/or  24 trends that you're seeing so that you can make  25 sure you're on the same page with respect to</p>	<p style="text-align: right;">Page 268</p> <p>1 have any contact with her?  2 A. I don't know who you're referring  3 to.  4 Q. Becky Leckler.  5 A. I don't know who Becky Leckler is.  6 Q. Have you ever met with anybody  7 who's involved in either the City of  8 Cleveland's equivalent drug court or Cuyahoga  9 County's drug court and/or recovery court?  10 A. The only individual that I've  11 communicated with through the Cleveland  12 Municipal Drug Court is a gentleman by the name  13 of Wallace Green.  14 Q. And what have your communications  15 with Mr. Green been?  16 A. Limited. Main reason, recently  17 Mr. Green contacted me via e-mail to inquire  18 whether or not the Akron Recovery Court team  19 would like to participate in a training that's  20 put on by the National Drug Court Institute.  21 The term of that is a drug court tune-up, and  22 so essentially, the National Drug Court  23 Institute provides staff that will come to the  24 jurisdiction and will present a two-day, you  25 know, training workshop to essentially look at,</p>
<p style="text-align: right;">Page 267</p> <p>1 addressing the opioid issue in the city of  2 Akron?  3 A. Well, that detective is -- is at  4 every drug court session. We -- we are  5 typically running weekly. Occasionally we'll  6 take, you know, a week off. So I communicate  7 with Detective Nida or the assigned SNUD  8 detective every Thursday.  9 We'll talk about any number of  10 things. Certainly, in that conversation, if  11 there are issues going on or trends or things  12 that that detective feels that -- that I or our  13 court needs to know, then he shares that.  14 That's obviously why he's a member of our team.  15 Q. And is that information shared with  16 you in writing or just orally?  17 A. Typically, it's -- it's verbal.  18 Q. Okay. And do you do anything to  19 document that information that you've received  20 so you can make sure the rest of the team is  21 aware of it?  22 A. No, I don't record that in any  23 written form.  24 Q. What about your counterpart at the  25 drug court in the City of Cleveland? Do you</p>	<p style="text-align: right;">Page 269</p> <p>1 you know, your current programs and policies  2 and provide whatever advice or expertise  3 that -- that they wish to provide.  4 Q. Did you take advantage of that  5 opportunity?  6 A. We have applied for that training.  7 That's why Mr. Green reached out to me. They  8 require at least three drug courts', you know,  9 teams to participate before they'll dispatch,  10 you know, their staff of, you know, roughly  11 four individuals that will come in and actually  12 produce the training.  13 Q. Will there be any cost to the City  14 of Cleve- -- to the City of Akron associated  15 with that training if you are awarded the  16 training that you've requested?  17 A. There's not a specific cost.  18 That's one of the benefits. You know, the  19 National Drug Court Institute is -- is a -- is  20 a great partner, you know, with -- with drug  21 courts, and so they -- they offer a lot of  22 assistance to -- to us.  23 Q. Have you received assistance in the  24 past from the National Drug Court Institute?  25 A. We have.</p>

<p style="text-align: right;">Page 270</p> <p>1 Q. What kind of assistance have you 2 received from them?</p> <p>3 A. It's the very -- the very same 4 training that we're talking about. You know, 5 they came out to Akron and we were the host of 6 a drug court tune-up, you know, approximately 7 three years ago.</p> <p>8 Q. Do you recall which other drug 9 courts participated with you in that drug court 10 tune-up?</p> <p>11 A. My recollection was a Cuyahoga 12 County -- I don't believe it was a Cleveland 13 muni drug court, because I certainly don't 14 remember Mr. Green being there. But I think it 15 was the Cuyahoga County drug court, and I 16 believe it was the Medina, you know, drug 17 court.</p> <p>18 We hosted it in Akron, and I was 19 essentially the -- the contact person that 20 coordinated the site location, assisted the 21 NDCI staff, you know, with accommodations, 22 making sure that they were taken care of. 23 Basically was -- was the person responsible 24 for, you know, providing, you know, the 25 location and offering it to these other drug</p>	<p style="text-align: right;">Page 272</p> <p>1 beneficial?</p> <p>2 A. We have.</p> <p>3 Q. Are there any other policies or 4 practices of the drug court that you changed as 5 a result of that training you received?</p> <p>6 A. I don't recall any specific major 7 changes to what we were doing. Not that -- not 8 that we've figured it out or, you know, we -- 9 we're perfect, but, you know, we've been in 10 business for -- since -- since 1995, so, you 11 know, we do know what we're doing and the 12 program that we operate is a sound one.</p> <p>13 But as I said earlier, if you're 14 not looking to improve, if you're not looking 15 to get better, then you're lazy.</p> <p>16 Q. Have you received any other 17 resources or support from the National Drug 18 Court Institute, other than the tune-up that 19 you described?</p> <p>20 A. Other than their, you know, online, 21 you know, literature, that -- that they will 22 provide as far as their opinions, you know, on 23 certain topics, they run a national conference 24 every year. So we -- we like to have 25 representation, you know, at that national drug</p>
<p style="text-align: right;">Page 271</p> <p>1 courts.</p> <p>2 Q. In connection with that prior drug 3 court tune-up, was there any cost to the City 4 of Akron?</p> <p>5 A. No, not specifically cost to the 6 City of Akron.</p> <p>7 Q. Did you find the training 8 beneficial?</p> <p>9 A. Yeah. My recollection is, is that 10 it was beneficial. It was helpful.</p> <p>11 Q. Did you change any of the policies 12 or practices of the drug court as a result of 13 that training?</p> <p>14 A. My recollection was that we made a 15 concerted effort to make sure that our legal 16 defender was more involved in that process. 17 Our legal defenders are very busy, so we wanted 18 to make sure that they knew how important it 19 was that, you know, they be a part of the team, 20 be a part of any pre-court team meetings. That 21 was one point of emphasis. And -- and that -- 22 that has transpired. That has worked.</p> <p>23 Q. So they have become more involved?</p> <p>24 A. They have.</p> <p>25 Q. And have you found that to be</p>	<p style="text-align: right;">Page 273</p> <p>1 court conference.</p> <p>2 You know, last two years Judge 3 Oldham has attended, and several members of our 4 recovery court team have attended.</p> <p>5 I have attended the national drug 6 court conference on a number of occasions. I 7 have not attended in the past, oh, probably 8 three or four years. Some of those were due to 9 financial constraints, you know, in our travel 10 budget in the probation department. Some were 11 related to personal matters with my family.</p> <p>12 Q. Do you, whether it's yourself 13 personally or others within the recovery court 14 system, maintain documents that would show who 15 attended which year, what the agenda was, 16 et cetera?</p> <p>17 A. Not specifically, no.</p> <p>18 Q. So there's no way to go back and 19 figure out, 10 years ago, who attended the 20 annual conference?</p> <p>21 MS. LEYIMU: Object to the form.</p> <p>22 A. Not a mechanism that I'm aware of, 23 no.</p> <p>24 Q. You indicated that your drug court 25 has been up and running for quite a while and</p>

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1 that you are very confident in the way that you  
 2 operate. What have you done to share your  
 3 expertise with others in the Northeast Ohio  
 4 region?  
 5 A. We've been contacted, you know, on  
 6 a number of occasions from jurisdictions that  
 7 have an interest in starting, you know, a drug  
 8 court program. And so on multiple occasions,  
 9 with Judge Oldham's permission, we share any  
 10 and all documents that -- that we have. That  
 11 would include our policy and procedure manual,  
 12 our client handbook, all of our forms.  
 13 We've had lots of individuals  
 14 across the state come and observe the Akron  
 15 Recovery Court just to see how we operate.  
 16 We're -- we're one of -- of a few  
 17 municipal drug courts. There's lots of drug  
 18 courts, you know, in the state of Ohio, but not  
 19 many municipal drug courts. Most are at the  
 20 felony, common pleas court level.  
 21 Q. Did you help Cleveland get its  
 22 municipal drug court up and running?  
 23 A. No. We had no involvement with the  
 24 Cleveland, you know, drug court's operation. I  
 25 don't know when or how long they've been in

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1 existence, but I don't have any recollection  
 2 of -- you know, of -- of that.  
 3 Q. What about the Cuyahoga County Drug  
 4 Court?  
 5 A. No.  
 6 Q. Same question, did you have any  
 7 involvement in helping stand up or provide  
 8 advice to Cuyahoga County when they were  
 9 creating their recovery court?  
 10 A. No, not to my recollection.  
 11 Q. How much interaction do you have  
 12 with federal law enforcement?  
 13 A. Minimal.  
 14 Q. And with whom do you have that  
 15 interaction?  
 16 A. On occasion, when a person is under  
 17 investigation, we may be contacted by, you  
 18 know, federal authorities, whether that's a  
 19 federal agent or a federal probation officer.  
 20 But those are extremely limited circumstances.  
 21 Q. Have you ever received any training  
 22 or other resources from the Drug Enforcement  
 23 Administration?  
 24 A. I don't recall, you know, ever  
 25 receiving any training from the DEA.

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1 Q. What about from the FBI?  
 2 A. No, I don't recall that.  
 3 Q. Have you sought or received any  
 4 resources from the Department of Justice?  
 5 A. No.  
 6 Q. Have you ever asked either the DEA  
 7 or FBI for training?  
 8 A. Not specifically, no.  
 9 Q. And what about just generally, have  
 10 you ever asked either the DEA or the FBI for  
 11 information about trends that they're seeing in  
 12 the general Northeast Ohio region with respect  
 13 to drugs and drug patterns?  
 14 A. In reference to the various  
 15 workshops, you know, that I attend, there are  
 16 often representatives from the DEA that are  
 17 talking about the very things that you just  
 18 indicated. So depending upon that workshop,  
 19 that may be a breakout session, you know, such  
 20 as drug court trends. You know, I have a  
 21 recollection of that.  
 22 Q. Well, I assume it would be  
 23 important for you, in your position, to know if  
 24 there are certain trends that law enforcement  
 25 is seeing with respect to drugs that are

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1 suddenly becoming prevalent in the community  
 2 that you need to be aware of. Carfentanil  
 3 comes to mind. Would you agree with me that  
 4 that would be helpful for you to know?  
 5 MS. LEYIMU: Object to the form.  
 6 A. I think it's always helpful to --  
 7 to know potential, you know, drug court trends.  
 8 Q. Have you ever reached out to the  
 9 local resident agent in charge of the local DEA  
 10 office to introduce yourself and make that  
 11 connection?  
 12 A. No.  
 13 Q. And what about the FBI?  
 14 A. No.  
 15 Q. Have you seen a lot of issues with  
 16 carfentanil in the Akron area?  
 17 A. Not sure what you mean by "a lot."  
 18 Q. Is carfentanil a significant  
 19 problem in the city of Akron, to the extent  
 20 that you are aware?  
 21 A. I think that there's certainly been  
 22 report- -- reported use of carfentanil in the  
 23 Akron/Summit County area that's part of this  
 24 epidemic.  
 25 Q. Have you seen that in connection

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1 with any of the clients in the recovery court  
 2 of the City of Akron?  
 3 A. I don't recall specifically Akron  
 4 Recovery Court clients admitting or reporting  
 5 use of carfentanil. It's more of a general  
 6 it's in -- it's in the area, it may be leading  
 7 to overdoses, you know, things of that nature.  
 8 Q. Have you seen clients of the Akron  
 9 Recovery Court reporting the use of Fentanyl?  
 10 A. I have.  
 11 Q. And what percentage, would you say,  
 12 of your current clients have reported the use  
 13 of Fentanyl?  
 14 MS. LEYIMU: Object to the form.  
 15 A. It's very difficult for me to  
 16 answer that question. I -- I don't know. I  
 17 can't -- I can't quantify that. I can only say  
 18 that there's been reported use of Fentanyl.  
 19 Q. Is it a significant percentage of  
 20 the population of the clients of the drug  
 21 court, or is it a pretty rare and odd  
 22 phenomenon?  
 23 MS. LEYIMU: Object to the form.  
 24 A. Again, I -- I would -- I would be,  
 25 you know, cautious in trying to quantify that.

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1 What I would say is in the number  
 2 of interviews that myself and our recovery  
 3 court staff are involved in, there's certainly  
 4 been clients that have reported use of  
 5 Fentanyl. But they report, you know, lots of  
 6 different uses of opiates.  
 7 Q. And we could find that out if we  
 8 looked at the assessment files; is that  
 9 correct?  
 10 A. If -- if they reported that.  
 11 Q. If they reported it, it would be  
 12 recorded in the assessment files; is that  
 13 right?  
 14 A. It should be.  
 15 Q. And so if we looked at the  
 16 assessment files, you would be able to see  
 17 whether or not somebody had reported the prior  
 18 use of Fentanyl or carfentanil, correct?  
 19 MS. LEYIMU: Object to the form of  
 20 the question.  
 21 A. Once again, if they report that  
 22 use, that should be recorded in -- in that  
 23 document.  
 24 Q. The same question with respect to  
 25 heroin. Is there a significant percentage of

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1 the clients of the Akron Recovery Court who  
 2 report using heroin?  
 3 MS. LEYIMU: Object to the form.  
 4 A. There are certainly a percentage of  
 5 our clients that report use of heroin, just as  
 6 they report use of prescription opioid  
 7 medications.  
 8 Q. And with respect to heroin, if they  
 9 report using heroin, that would be recorded in  
 10 those assessment files, correct?  
 11 A. Correct. Just as it would be  
 12 recorded if they reported use of pills or  
 13 opiate pain medications.  
 14 Q. And if they report the use of  
 15 pills, what do you do to determine where they  
 16 obtained those pills, if anything?  
 17 A. Well, we ask them.  
 18 Q. Anything else?  
 19 A. We inquire as far as the health  
 20 condition that they report as to why they are  
 21 taking that medication. We inquire about how  
 22 long that condition, you know, has occurred.  
 23 And we inquire about, you know, their plans  
 24 moving forward, you know, dealing with that.  
 25 Q. Do the clients of the recovery

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1 court report to you the purchase of  
 2 prescription opioids illegally on the street?  
 3 A. Occasionally.  
 4 Q. And --  
 5 A. They -- they report all kinds of  
 6 things.  
 7 Q. And if that's reported, that would  
 8 also be contained in those assessment files,  
 9 correct?  
 10 A. If they reported that use during  
 11 the assessment, it would be recorded.  
 12 Q. What if -- so that brings up  
 13 an interest- -- an interesting question. You  
 14 indicated earlier today that sometimes it takes  
 15 a while to establish a rapport with a client  
 16 where they will be more forthcoming about all  
 17 of the different drugs they've used and where  
 18 they've obtained them. Is that an accurate  
 19 statement?  
 20 A. Yes, that's an accurate statement.  
 21 Q. When they provide that information  
 22 subsequent to the initial assessment, where is  
 23 that information recorded? Or is it?  
 24 A. Depending upon the information and  
 25 the degree that they're reporting, on occasion



<p style="text-align: right;">Page 282</p> <p>1 we may have that client reassessed.</p> <p>2 An assessment, you know, is a</p> <p>3 working document. You don't just have one</p> <p>4 assessment and that's your assessment forever.</p> <p>5 Because people change and their drug addiction</p> <p>6 changes, so, on occasion, reassessments are</p> <p>7 conducted.</p> <p>8 Q. Would the reassessment be contained</p> <p>9 in the same paper file as the original</p> <p>10 assessment?</p> <p>11 MS. LEYIMU: Object to the form.</p> <p>12 A. It would be kept in the</p> <p>13 confidential probation file.</p> <p>14 Q. So all of this information about</p> <p>15 the reporting, both in the initial assessment</p> <p>16 and subsequent reporting if there's a</p> <p>17 subsequent assessment, is all contained in that</p> <p>18 probation file, correct?</p> <p>19 MS. LEYIMU: Object to the form.</p> <p>20 A. To the records that I control, yes.</p> <p>21 I can't speak to what the Oriana House case</p> <p>22 manager may record or how they record it.</p> <p>23 Q. I'm just asking about your -- your</p> <p>24 records at this point.</p> <p>25 A. Uh-huh.</p>	<p style="text-align: right;">Page 284</p> <p>1 Q. And it indicates there that</p> <p>2 "Prescription opioids are highly available in</p> <p>3 the region. Participants consistently reported</p> <p>4 street availability of these drugs as 'very</p> <p>5 high.'"</p> <p>6 Do you see that?</p> <p>7 A. I do.</p> <p>8 Q. And is that consistent with your</p> <p>9 experience in late 2010, early 2011, the trends</p> <p>10 in the city of Akron, which was part of the</p> <p>11 Akron-Canton region?</p> <p>12 MS. LEYIMU: Object to the form.</p> <p>13 A. That's my recollection. So, you</p> <p>14 know, it's a long time ago, but.</p> <p>15 Q. We've talked a little bit today</p> <p>16 about funding for the drug court.</p> <p>17 A. Uh-huh.</p> <p>18 Q. I'm going to have you look at what</p> <p>19 we're going to mark as Exhibit 21 for your</p> <p>20 deposition.</p> <p>21 - - - - -</p> <p>22 (Thereupon, Deposition Exhibit 21,</p> <p>23 June 2017 E-Mail Chain Re: ATP</p> <p>24 Funding Opportunity, AKRON_001103864</p> <p>25 to 001103866, was marked for</p>
<p style="text-align: right;">Page 283</p> <p>1 Q. Is it kept anywhere else within</p> <p>2 your records, other than in the probation file?</p> <p>3 A. No.</p> <p>4 Q. The meetings of the drug court, the</p> <p>5 weekly meetings of the drug court, are those</p> <p>6 recorded?</p> <p>7 A. No.</p> <p>8 Q. So there's no transcript available?</p> <p>9 A. Correct.</p> <p>10 Q. I'm going to ask you to take a look</p> <p>11 at what was previously marked as Exhibit 6.</p> <p>12 A. These are no longer in order, so --</p> <p>13 Q. Take a minute. It's an e-mail that</p> <p>14 you sent to Doug Powley on February 22nd of</p> <p>15 2011.</p> <p>16 A. Okay. I have that, ma'am.</p> <p>17 Q. Okay. And I'm not going to go back</p> <p>18 through the whole document, but I'm going to</p> <p>19 ask you to turn to page 6 of the attachment.</p> <p>20 It is Bates No. 001109386.</p> <p>21 A. I have that.</p> <p>22 Q. Okay. And I'm going to direct your</p> <p>23 attention to the heading that says "Prescription</p> <p>24 Opioids, Current Trends." Do you see that?</p> <p>25 A. I do.</p>	<p style="text-align: right;">Page 285</p> <p>1 purposes of identification.)</p> <p>2 - - - - -</p> <p>3 Q. And the first page has the Bates</p> <p>4 No. 001103864. Do you see that?</p> <p>5 A. I do, yeah.</p> <p>6 Q. Okay. And this is an e-mail chain</p> <p>7 from June of 2017, correct?</p> <p>8 A. Yes.</p> <p>9 Q. Do you recall this -- this e-mail</p> <p>10 exchange?</p> <p>11 A. I need to review it.</p> <p>12 Q. Okay. Please do.</p> <p>13 A. Okay. I've had a chance to review</p> <p>14 that.</p> <p>15 Q. Who's Kimberly Patton?</p> <p>16 A. Ms. Patton works for the Summit</p> <p>17 County ADM Board.</p> <p>18 Q. And I see that the first e-mail is</p> <p>19 from Ms. Patton on June 8th of 2017 to you and</p> <p>20 a group of other folks, correct?</p> <p>21 A. Correct.</p> <p>22 Q. And she's talking about an ATP</p> <p>23 funding opportunity, is she not?</p> <p>24 A. Correct.</p> <p>25 Q. And in her e-mail, she says that</p>

<p style="text-align: right;">Page 286</p> <p>1 she wants to take this opportunity to reach out  2 to you and see if your court may be interested  3 in participating in the Addiction Treatment  4 Program through the Ohio Department of Mental  5 Health and Addiction Services to provide  6 funding for recovery supports to individuals  7 that are part of your specialty docket.  8 Correct?  9 A. Correct.  10 Q. And then she lists the four bullet  11 points, four different requirements that your  12 specialty docket must meet in order to be  13 eligible for this funding. Do you see those?  14 A. I do.  15 Q. Does the Akron -- City of Akron  16 Recovery Court meet all four of those criteria?  17 A. Yes.  18 Q. So you would have been eligible for  19 this funding; is that correct?  20 A. Correct.  21 Q. And then, in response to her e-mail  22 just a couple days later, on June 12th, you  23 indicate that you want to talk to her about how  24 the ATP funds could be used; is that -- is that  25 right?</p>	<p style="text-align: right;">Page 288</p> <p>1 medication-assisted treatment.  2 Q. And that's the information that you  3 learned at the meeting with Ms. Patton at the  4 ADM Board?  5 A. That was part of the -- of the  6 reason for the call. My recollection is that,  7 you know, she sent this e-mail on June 8th and  8 wanted a commitment from our court by June  9 13th. So that's five days. That's awfully  10 fast in the criminal justice system. We don't  11 move that fast.  12 So we needed to slow this process  13 down and have a better understanding of what  14 ATP round two would be before we committed the  15 type of resources that the ATP project  16 required, which is a significant amount of data  17 entry that requires staff to do it.  18 Q. What data was required for ATP  19 round one?  20 A. It was, you know, the requirements  21 that -- that were determined, you know, by  22 OMHAS. Again, they contracted with TRI, the  23 Treatment Research Institute, and so that data  24 would be any number of requirements:  25 certainly, the client, you know, case</p>
<p style="text-align: right;">Page 287</p> <p>1 A. Yes.  2 Q. Do you know if you ever had that  3 conversation with her?  4 A. We did.  5 Q. And who was present for that  6 conversation?  7 A. My recollection, the individuals  8 that were present for that meeting -- it was  9 conducted at the ADM Board. Ms. Patton was  10 there. There was a representative from their  11 financial office, an accountant, I believe.  12 Myself and Tony Ingram, my supervisor, the  13 chief probation officer.  14 Q. And tell me, if you would, please,  15 what you recall learning about this funding  16 opportunity at that meeting.  17 A. Well, what's interesting about the  18 ATP project is this was basically ATP round  19 two. We had already received ATP funds in the  20 fiscal year prior to this. So that ended, so  21 all of the reporting requirements of the ATP  22 also ended.  23 And so what was interesting about  24 this opportunity is it expanded services to  25 include additional recovery supports other than</p>	<p style="text-align: right;">Page 289</p> <p>1 information, what they were diagnosed with. I  2 didn't enter the data, so I can't speak to all  3 of the requirements, but I know that it was  4 labor intensive.  5 Q. Who did enter that data?  6 A. Probation aide that was assigned to  7 that task.  8 Q. And that person's name is?  9 A. I believe it was -- no, yeah. It  10 was Mr. Krutko. Adam Krutko.  11 Q. And do you know if Mr. Krutko kept  12 track of the time that he spent specifically on  13 the task of entering the data that was required  14 for ATP round one?  15 A. I don't believe there was any  16 specific mechanism to record that.  17 Q. So there's no way to track how many  18 hours it took him to do the data entry; is that  19 correct?  20 A. That's correct.  21 MS. LEYIMU: Object to the form.  22 Q. The data that he entered, was it  23 turned into reports that were provided to OMHAS  24 or others?  25 A. I don't have knowledge of -- of</p>

<p style="text-align: right;">Page 290</p> <p>1 what they did with that data. I just know that  2 it was an online program that was provided to  3 us through TRI, and that was a database that  4 they operated, and -- and we provided the  5 information that they requested.  6 Q. When you provided the information  7 that they requested, did you lose the ability  8 to retrieve that information? In other words,  9 once it was sent, could you go back and get it?  10 Did it still exist in your systems?  11 MS. LEYIMU: Object to the form.  12 A. Again, I -- I wasn't the person  13 that was responsible for that data entry. I  14 have no knowledge of how that data was kept or  15 the retrieval, you know, ability of it.  16 Q. So you never looked at what was  17 being provided to OMHAS, pursuant to ATP1?  18 A. I received weekly reports from ATP.  19 That confirmed that we were in compliance with  20 the reporting requirements.  21 Q. Did you ever see the data that was  22 actually being reported to OMHAS and others to  23 comply with ATP1?  24 A. I don't have a specific  25 recollection of reviewing any -- any data</p>	<p style="text-align: right;">Page 292</p> <p>1 Q. Who would know whether or not you  2 can still access that information?  3 A. OMHAS or TRI.  4 Q. Is there somebody who operates the  5 IT system for the Akron Recovery Court who  6 could look to see whether or not it's still  7 accessible on your end?  8 MS. LEYIMU: Object to the form.  9 A. I don't know. I'm not an IT  10 person.  11 Q. Do you have an IT person?  12 A. We do.  13 Q. And who is that?  14 A. We have two individuals that work  15 for the Akron Municipal Court: Larry Lee and a  16 newer gentleman. It's Jeffrey, and I believe  17 Jeffrey's last name is Crawford.  18 Q. Do you know if anybody in  19 connection with this litigation asked Mr. Lee  20 or Mr. Crawford to try to access the data that  21 was provided to TRI in response to ATP1?  22 MS. LEYIMU: Object to the form.  23 A. I have no knowledge of that.  24 Q. Did you make that request?  25 A. No.</p>
<p style="text-align: right;">Page 291</p> <p>1 related to that.  2 Q. Do you know where that data is  3 today?  4 A. I -- I don't know who the current  5 ATP data research company is. I believe it's  6 TRI. It's the same company.  7 Q. Do you know if the reports that you  8 provided, the data that you provided to TRI,  9 still exists within the information systems of  10 the Akron Recovery Court?  11 MS. LEYIMU: Object to the form.  12 A. That was a separate database, we  13 didn't operate it. It was an online database.  14 We were given training on how to input the  15 data, and that's what we did.  16 Q. So let me -- let me try again,  17 because I'm obviously not being clear in my  18 question.  19 If you wanted to get the reports,  20 the information that you submitted to TRI in  21 connection with ATP1, can you get that  22 information today?  23 MS. LEYIMU: Object to the form.  24 A. I don't -- I don't have knowledge  25 of that. I never made that request.</p>	<p style="text-align: right;">Page 293</p> <p>1 Q. Did you ask anybody else --  2 MS. LEYIMU: Object to the form.  3 Q. -- if they could still access that  4 data?  5 MS. LEYIMU: Object to the form.  6 A. Again, I -- I did not make that  7 request.  8 Q. So you've met with Ms. Patton. Do  9 you know if you met with her -- I would assume  10 you met with her after her e-mail of June 12th  11 of 2017; is that accurate?  12 A. That's accurate.  13 Q. Do you know approximately when you  14 met with her?  15 A. It would have been roughly within  16 one to two weeks.  17 Q. Did you ultimately participate in  18 ATP2?  19 A. We did.  20 Q. You did or did not?  21 A. We did.  22 Q. Okay. And when did you apply for  23 the grant monies associated with ATP2?  24 A. Well, let's see. This indicated  25 that -- they list it as their fiscal year '18,</p>

<p style="text-align: right;">Page 294</p> <p>1 so as far as when it officially restarted, you 2 know, approximately beginning of 2018. 3 Q. How much money does the Akron 4 Recovery Court receive through ATP2? 5 A. The Akron Recovery Court received 6 no money from the ATP project. We never have. 7 Q. That money goes to the Oriana 8 House; is that correct? 9 A. No. The funding mechanism is that 10 the treatment agency that's assigned to that 11 client must pay the initial whatever -- 12 whatever it is, whether, in ATP No. 1, it was 13 the monies that would have to be paid for 14 medication-assisted treatment if that client 15 didn't have insurance or didn't have Medicaid. 16 And then, the ADM Board would receive funds 17 from OMHAS, and they would then funnel the 18 money back to the treatment agency. 19 Q. So this is additional money that's 20 available for treatment for clients of the 21 Akron Recovery Court; is that correct? 22 A. That's how it is written up. 23 Q. And how much money is available as 24 a result of your receiving funding through 25 ATP2? Not you personally, but how much money</p>	<p style="text-align: right;">Page 296</p> <p>1 MS. LEYIMU: Object to the form. 2 A. Yeah, what I would say is the 3 program exists, but I have not seen clients 4 receiving the services. 5 Q. What are you doing to ensure that 6 the clients of the recovery court know that 7 these services are available? 8 A. Well, we refer them to ATP 9 treatment agencies that have entered into 10 contracts, you know, to apply for those 11 services. So if the client is ATP-eligible -- 12 which not everybody is, but if they're eligible 13 for the ATP project, then our staff is making 14 sure that at least the treatment agency that 15 they're being referred to is an ATP provider. 16 It's up to that treatment agency to make the 17 requests for whatever services they're 18 requesting. 19 Q. What, if anything, are you or your 20 staff doing to ensure that the ATP providers 21 know that this funding exists? 22 A. Again, that's not -- that's not, 23 you know, in the -- in the job -- you know, in 24 my job, you know, description. That's the ADM 25 Board and the treatment agencies.</p>
<p style="text-align: right;">Page 295</p> <p>1 is available to the clients of the Akron 2 Recovery Court through ATP2? 3 MS. LEYIMU: Object to the form. 4 A. I can't quantify that. I just know 5 that just as with ATP No. 1, we have not seen 6 clients accessing these funds. The treatment 7 agencies aren't making, you know, those 8 requests for services, for whatever reason. 9 Whether it's paperwork, whether it's manpower, 10 whether it's issues, you know, I just know 11 that, unfortunately, it seems to be, you know, 12 underutilized. 13 Q. So the money is there; it's just 14 not being used? 15 MS. LEYIMU: Object to the form. 16 A. I just know that, you know, the 17 treatment agencies that are assigned and have 18 been approved as ATP providers are not making 19 many requests for those funds. 20 Q. Are the funds available? 21 A. To my knowledge, they're available, 22 but I don't manage the program. 23 Q. So to your knowledge, the funds are 24 available, but they're not being utilized; is 25 that an accurate statement?</p>	<p style="text-align: right;">Page 297</p> <p>1 So it's the ADM Board's, you know, 2 responsibility to, you know, continue to 3 communicate, you know, with those treatment 4 agencies, and, you know, as far as whether they 5 are or not accessing those funds, you know, 6 that's -- you know, that's not my 7 responsibility. 8 Q. In your e-mail to Emily Beers, you 9 say, quote, "I hate to turn down any monies, 10 but unless someone can convince me of the 11 merits of this program and how it can help our 12 clients, I will probably recommend that we do 13 not continue with this ATP project. Also, with 14 the fact that we just received the three-year 15 SAMHSA grant, just not sure if it's worth it," 16 close quote. 17 Do you see that? 18 A. I do. 19 Q. And the three-year SAMHSA grant 20 that you're talking about, that is the one that 21 we've been discussing here today that was a 22 million dollars over the course of three years; 23 is that right? 24 A. That's correct, yes. 25 Q. And not worth it because you</p>



<p style="text-align: right;">Page 298</p> <p>1 already had the SAMHSA grant in place?</p> <p>2 MS. LEYIMU: Object to the form.</p> <p>3 A. What I -- what I would say is "not</p> <p>4 worth it" is related to the time that was</p> <p>5 required by our staff that was unfunded for</p> <p>6 Mr. Krutko, you know, to input that data on a</p> <p>7 daily basis. If the clients, you know, weren't</p> <p>8 receiving the services, we were trying to</p> <p>9 balance, you know, the need for that.</p> <p>10 Q. Did the SAMHSA grant cover the same</p> <p>11 type of services that the ATP2 grant would</p> <p>12 cover, or are they separate?</p> <p>13 A. They were, you know, separate.</p> <p>14 Q. So it wasn't that the ATP2 grant</p> <p>15 was duplicative of the money that you had</p> <p>16 already received from SAMHSA?</p> <p>17 A. Duplicative, you know, again, the</p> <p>18 SAMHSA was an enhancement grant that enhanced</p> <p>19 specific items. The ATP project was different.</p> <p>20 You know, they -- they weren't the same things.</p> <p>21 Q. How many hours each day does your</p> <p>22 staff member spend entering data for the ATP2</p> <p>23 project?</p> <p>24 A. I couldn't quantify that. You</p> <p>25 know, Mr. Krutko, you know, would have to</p>	<p style="text-align: right;">Page 300</p> <p>1 decision to proceed and that we were going to</p> <p>2 be a part of that project.</p> <p>3 Q. Do you know how many hours each day</p> <p>4 Mr. Krutko spends entering data with respect to</p> <p>5 the AT2 -- ATP2 project?</p> <p>6 MS. LEYIMU: Object to the form.</p> <p>7 Asked and answered.</p> <p>8 A. I do not.</p> <p>9 Q. Earlier today you were talking</p> <p>10 about the felony reduction program. And as I</p> <p>11 understood that, that was a program that</p> <p>12 existed before the County had its own drug</p> <p>13 court; is that correct?</p> <p>14 A. That's correct.</p> <p>15 Q. And pursuant to that program,</p> <p>16 people who were charged with low-level drug</p> <p>17 felonies that didn't involve violence could</p> <p>18 have their felony reduced to a misdemeanor, and</p> <p>19 in exchange, would participate in the Akron</p> <p>20 Recovery Court; is that right?</p> <p>21 A. That's correct.</p> <p>22 Q. That was not the only way that you</p> <p>23 could participate in the Akron Recovery Court,</p> <p>24 was it?</p> <p>25 A. Initially, yes. It was exclusively</p>
<p style="text-align: right;">Page 299</p> <p>1 answer that question.</p> <p>2 Q. Have you ever asked Mr. Krutko how</p> <p>3 many hours a day he spends entering data for</p> <p>4 the ATP2 grant?</p> <p>5 A. Well, I think initially we had some</p> <p>6 discussion as far as, you know, how many hours,</p> <p>7 you know, he guesstimated that that was taking.</p> <p>8 Q. With respect to the ATP2 grant?</p> <p>9 A. With respect to the ATP1.</p> <p>10 Q. So focusing on the ATP2 grant, the</p> <p>11 one that's currently in place, have you ever</p> <p>12 asked Mr. Krutko how many hours per day he</p> <p>13 spends entering data for the ATP2 grant?</p> <p>14 A. Not specifically, no.</p> <p>15 Q. Have you ever asked him to</p> <p>16 guesstimate for the ATP2 grant?</p> <p>17 A. No. Once the court made the</p> <p>18 decision that we were going to proceed, you</p> <p>19 know, with engaging in the ATP No. 2, it became</p> <p>20 a moot point.</p> <p>21 Q. Because it was going to happen</p> <p>22 whether you wanted it to or not.</p> <p>23 A. The judge- --</p> <p>24 MS. LEYIMU: Object to the form.</p> <p>25 A. The judge -- judges had made the</p>	<p style="text-align: right;">Page 301</p> <p>1 a felony reduction program.</p> <p>2 Q. So if you were charged with a</p> <p>3 misdemeanor drug possession, you couldn't</p> <p>4 participate, but if you were charged with a</p> <p>5 felony drug possession, you could?</p> <p>6 A. That's correct.</p> <p>7 Q. For how long was that the system</p> <p>8 that was in place?</p> <p>9 A. Well, from -- from its existence in</p> <p>10 1995 to when the model changed, which -- trying</p> <p>11 to think of, you know, exactly when that</p> <p>12 occurred. I'd have to -- I'd have to review,</p> <p>13 you know, that -- that information, but I --</p> <p>14 you know, my recollection is that the Turning</p> <p>15 Point Program has been in existence, you know,</p> <p>16 since sometime in 2000. 2010, you know.</p> <p>17 Q. I'm sorry. Did you say sometime in</p> <p>18 2000, 2010? That's --</p> <p>19 A. I was just trying to --</p> <p>20 Q. -- like a 10-year time frame.</p> <p>21 A. No. I was just trying to think</p> <p>22 of -- you know, I didn't start managing, you</p> <p>23 know, the Akron Drug Court program until 2003.</p> <p>24 It was a felony reduction model at that time,</p> <p>25 you know. I don't recall when that specific</p>



<p style="text-align: right;">Page 302</p> <p>1 change occurred.</p> <p>2 Q. But to your memory it occurred</p> <p>3 whenever the Turning Point Program was up and</p> <p>4 running?</p> <p>5 A. Absolutely.</p> <p>6 Q. So if we figured out when that was,</p> <p>7 we would know when it changed from a</p> <p>8 felony-only program to people charged with</p> <p>9 misdemeanors could enter the drug court?</p> <p>10 A. Correct. I received a phone call</p> <p>11 from Mr. Powley, the chief city prosecutor at</p> <p>12 that time, informing me that they were no</p> <p>13 longer going to be amending charges to an M1</p> <p>14 attempted drug abuse for purposes of referral</p> <p>15 to the Akron Drug Court program. Obviously,</p> <p>16 the clients that were in the program were going</p> <p>17 to remain, but starting on whatever that magic</p> <p>18 date was, that model was changing.</p> <p>19 Q. And from that date forward, people</p> <p>20 who were initially charged with a misdemeanor</p> <p>21 could participate in the drug court; is that</p> <p>22 correct?</p> <p>23 A. That's correct.</p> <p>24 Q. Do you think that there's an</p> <p>25 advantage to people who are charged with a</p>	<p style="text-align: right;">Page 304</p> <p>1 Cleveland drug court's program is. I don't</p> <p>2 manage it.</p> <p>3 Q. And on that e-mail that I just</p> <p>4 showed you that we marked as Exhibit 21, just</p> <p>5 so I'm clear, who is Emily Beers?</p> <p>6 A. Emily Beers is employed by the</p> <p>7 Oriana House, Incorporated. She is the program</p> <p>8 manager for the caseworkers for both the</p> <p>9 Turning Point Program and the Akron Recovery</p> <p>10 Court. So she is the boss of the caseworkers</p> <p>11 used in both programs.</p> <p>12 - - - - -</p> <p>13 (Thereupon, Deposition Exhibit 22,</p> <p>14 9/15/2017 E-Mail from Alexa</p> <p>15 Montesano Re: IBH Event on 9/14/17,</p> <p>16 AKRON_001102789, was marked for</p> <p>17 purposes of identification.)</p> <p>18 - - - - -</p> <p>19 A. Okay.</p> <p>20 Q. Sir, that is an e-mail from Alexa</p> <p>21 Montesano to you and others dated September 15,</p> <p>22 2017, correct?</p> <p>23 A. That's correct.</p> <p>24 Q. Do you recall this e-mail</p> <p>25 communication?</p>
<p style="text-align: right;">Page 303</p> <p>1 misdemeanor having the opportunity to</p> <p>2 participate in drug court?</p> <p>3 A. Yes.</p> <p>4 Q. Was there any process in place by</p> <p>5 which somebody who was charged with a</p> <p>6 misdemeanor could, in a weird fashion, ask to</p> <p>7 be charged with felony instead so that it could</p> <p>8 be reduced to a misdemeanor and they could</p> <p>9 participate in drug court?</p> <p>10 A. I don't re- --</p> <p>11 MS. LEYIMU: Object to the form of</p> <p>12 the question.</p> <p>13 A. I don't recall anybody asking for a</p> <p>14 case to be re-filed as a felony for purposes of</p> <p>15 entry into the drug court. That's certainly</p> <p>16 not my recollection.</p> <p>17 Q. So it was felonies only?</p> <p>18 MS. LEYIMU: Object to the form.</p> <p>19 Asked and answered.</p> <p>20 A. That's the way that the model, you</p> <p>21 know, was -- was written up.</p> <p>22 Q. Do you know if the model that was</p> <p>23 used in the City of Cleveland was similar or</p> <p>24 different?</p> <p>25 A. I have no knowledge of what the</p>	<p style="text-align: right;">Page 305</p> <p>1 A. I do.</p> <p>2 Q. Who is Alexa Montesano?</p> <p>3 A. At the time, Ms. Montesano was a</p> <p>4 probation officer with the City of Akron, and</p> <p>5 she was assigned to the drug court docket with</p> <p>6 me.</p> <p>7 Q. And you say "at the time." Where</p> <p>8 is she assigned now?</p> <p>9 A. She is no longer employed with the</p> <p>10 City of Akron.</p> <p>11 Q. When did she leave her employ with</p> <p>12 the City of Akron?</p> <p>13 A. She left employment with the City</p> <p>14 of Akron approximately five months ago.</p> <p>15 Q. And do you know where she is now?</p> <p>16 A. She accepted a position as an agent</p> <p>17 with the State of Ohio investigative unit.</p> <p>18 Ohio Investigative Unit. So she --</p> <p>19 Q. Working for BCI?</p> <p>20 A. It's -- it's -- it's the State of</p> <p>21 Ohio, so she is a state police officer. It's</p> <p>22 an agency that not a lot of people have</p> <p>23 awareness of.</p> <p>24 But the Ohio Investigative Unit is</p> <p>25 an undercover law enforcement agency that</p>

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1 investigates any number of illegal activities,  
 2 including underage alcohol consumption, drugs,  
 3 gambling, prostitution.  
 4 Q. And she was reporting to you and a  
 5 group of other folks about an IBH event that  
 6 she had attended the evening before; is that  
 7 correct?  
 8 A. Yes, that's what -- that's what she  
 9 indicated.  
 10 Q. What is an IBH event?  
 11 A. IBH is an acronym for Interval  
 12 Brotherhood Home. It is one of the residential  
 13 drug treatment agencies that operate in Summit  
 14 County.  
 15 Q. And it appears to me that one of  
 16 the things she was reporting to all of you was  
 17 some data that she received at that event; is  
 18 that correct?  
 19 A. That's what it appears.  
 20 Q. And in her e-mail to you, she  
 21 indicates that 52 percent of users use heroin.  
 22 Do you see that?  
 23 A. I do see that.  
 24 Q. 20 percent methamphetamines,  
 25 correct?

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1 A. That's what she indicated.  
 2 Q. 19 percent alcohol? Is that what  
 3 she said?  
 4 A. Yes.  
 5 Q. 5 percent crack cocaine?  
 6 A. Correct.  
 7 Q. And then she also indicated that  
 8 the statistics discovered that 88 percent of  
 9 users used more than one substance; is that  
 10 right?  
 11 A. That's what she indicated.  
 12 Q. And is that consistent with the  
 13 client base in 2017 of the Akron Drug Court?  
 14 A. I don't know who authored these  
 15 stats. The event was at IBH. It was an open  
 16 house event. So I remember sending her to this  
 17 event in my absence because I was not  
 18 available. So she got this information from  
 19 the presentation, but I have no knowledge of  
 20 who or -- who authored these stats or the  
 21 presentation itself.  
 22 Q. So that wasn't my question.  
 23 My question is the statistics that  
 24 she reported to you, are those consistent with  
 25 what you were seeing in the client population

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1 of the Akron Recovery Court in the fall of  
 2 2017?  
 3 MS. LEYIMU: Object to the form.  
 4 A. I can't really speak to that.  
 5 Q. Because --  
 6 A. I don't know.  
 7 Q. And -- and you don't know because  
 8 you don't know what percentage of the clients  
 9 of the recovery court were using heroin?  
 10 A. I take issue with the 52 percent of  
 11 users use heroin. I don't think that's an  
 12 accurate -- I don't think that's an accurate  
 13 percentage.  
 14 Q. What percentage do you think is  
 15 accurate?  
 16 A. I would say that a better use of  
 17 that percentage would have spoken to a general  
 18 use of opiates. What I don't see in these  
 19 stats is use of opiates. Because I guarantee  
 20 you that everybody that's listed here of this  
 21 100 percent, there's no way that 52 percent  
 22 were only using heroin.  
 23 Q. Well, it says, does it not, that 88  
 24 percent were using more than one substance,  
 25 correct?

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1 A. Again, I didn't -- I didn't author  
 2 the e-mail, so.  
 3 Q. So you don't have any idea where  
 4 any of this information came from or --  
 5 A. No knowledge.  
 6 Q. -- whether or not it's accurate?  
 7 A. Correct.  
 8 Q. Okay. What about the fact that  
 9 they reported -- whoever it was that was  
 10 speaking at this IBH event that you sent Ms.  
 11 Montesano to reported that 53 percent of males  
 12 suffer from significant recurring trauma, while  
 13 47 percent suffer from some trauma. Do you see  
 14 that report?  
 15 A. I do.  
 16 Q. And is that consistent with the  
 17 client base of the Akron Recovery Court?  
 18 MS. LEYIMU: Object to the form.  
 19 A. We don't have specific trauma data  
 20 to point to. We don't track specific trauma.  
 21 Trauma is very difficult to determine. Lots --  
 22 for lots of reasons. Clients often don't  
 23 disclose trauma.  
 24 Q. So trauma is one of those things  
 25 that tends to be underreported by your clients,

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1 correct?

2 A. I would say that that's accurate.

3 Q. And trauma is one of the dual

4 diagnoses that we've been talking about today;

5 is that correct?

6 MS. LEYIMU: Object to the form.

7 A. No, not specifically. You know,

8 trauma -- a client that has suffered from

9 trauma doesn't automatically mean that they're

10 diagnosed with a mental health disorder.

11 Q. So there could be a universe of

12 people who are not diagnosed with a specific

13 mental health disorder but have, in fact,

14 suffered trauma in the past?

15 A. I would agree that's an accurate

16 statement, yes.

17 Q. Have you ever looked into the

18 Cuyahoga County recovery court and the

19 population that they serve?

20 A. No. I don't work for them.

21 Q. I -- I wasn't suggesting that you

22 work for them. I was suggesting that it's a

23 very similar type of a program, and I was just

24 wondering if you've ever looked at that program

25 to see what they're doing and how they operate?

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1 MS. LEYIMU: Object to the form.

2 A. No, I have not.

3 Q. And so I take it your answers would

4 be the same with respect to the percentage of

5 women, 78 percent of women suffer from

6 significant or recurring trauma; you have no

7 idea whether or not your client base fits in

8 this model or not?

9 MS. LEYIMU: Object to the form.

10 A. I don't.

11 Q. What did you do with -- if

12 anything, with the information that

13 Ms. Montesano provided to you in this e-mail?

14 MS. LEYIMU: Object to the form of

15 the question.

16 A. I remember reviewing it. I

17 remember reading it, because she sent it to me,

18 but beyond that, I -- you know, I didn't do

19 anything with it.

20 Q. Did you share it with anyone else?

21 A. I don't believe I forwarded the

22 e-mail.

23 Q. Do you know if you did anything to

24 follow up and find out who had presented these

25 statistics at the IBH event?

Page 312

1 A. I don't have a recollection of

2 that, no.

3 Q. Did you do anything to try to

4 determine whether or not the statistics in this

5 e-mail were, in fact, accurate?

6 MS. LEYIMU: Object to the form.

7 A. Again, I don't have a recollection

8 of that, no.

9 Q. You just read the e-mail.

10 A. I read the e-mail.

11 Q. Do you keep track of all the

12 community events that you attend that relate to

13 the opioid crisis as you've described it?

14 MS. LEYIMU: Object to the form.

15 Asked and answered.

16 A. To the best of my ability. You

17 know, I attend a number of events, so it's --

18 it's difficult to, quote, "track" or record

19 every one of those.

20 Q. Where do you generally keep track

21 of those events?

22 A. If it was a training workshop, then

23 typically that would -- that would be something

24 that I would keep as -- as far as proof of that

25 certificate for my licensure.

Page 313

1 Q. So I'm talking more about community

2 events like the one we were just looking at in

3 Exhibit 21, this IBH event.

4 A. No, I --

5 Q. If you attend a community event --

6 A. Uh-huh.

7 Q. -- that's related to the opioid

8 crisis, do you keep a record of that anywhere?

9 A. No.

10 Q. Do you have a calendar that you

11 keep at the office?

12 A. Yes.

13 Q. And would your calendar reflect

14 your attendance at events related to the opioid

15 crisis?

16 MS. LEYIMU: Object to the form.

17 A. It may.

18 Q. Have you done anything to review

19 your calendar to see if there are any entries

20 on your calendar that are relevant to the

21 issues that -- in this litigation?

22 MS. LEYIMU: Object to the form of

23 the question.

24 A. No. I was asked to provide, you

25 know, copies of any and all training workshops

<p style="text-align: right;">Page 314</p> <p>1 that I attended, and I produced those.</p> <p>2 Q. But nobody asked you to provide any</p> <p>3 information with respect to community events</p> <p>4 that you attended.</p> <p>5 MS. LEYIMU: Object to the form.</p> <p>6 A. I don't remember that being a</p> <p>7 request.</p> <p>8 Q. Do you sometimes, at these</p> <p>9 community events, make presentations yourself?</p> <p>10 A. Rarely. Mostly, I'm just</p> <p>11 attending. You know, the most recent community</p> <p>12 event that we attended, it was a panel</p> <p>13 interview.</p> <p>14 Q. And you were interviewed as part of</p> <p>15 that panel?</p> <p>16 A. I was part of the panel, yes.</p> <p>17 Q. And did you prepare notes or</p> <p>18 anything in advance of that panel presentation?</p> <p>19 A. No. It was a pretty informal</p> <p>20 question and answer. General members from the</p> <p>21 community, you know, came if they had</p> <p>22 questions, you know, about the opiate epidemic.</p> <p>23 Q. Where did that presentation take</p> <p>24 place?</p> <p>25 A. It was at a community church, you</p>	<p style="text-align: right;">Page 316</p> <p>1 Q. Was there a PowerPoint presentation</p> <p>2 used as part of the presentation that day?</p> <p>3 A. Wallace Green, who is the director</p> <p>4 of the Cleveland Drug Court, was part of the</p> <p>5 panel, and I do recall that he had a</p> <p>6 PowerPoint.</p> <p>7 Q. Was the panel during the day or in</p> <p>8 the evening?</p> <p>9 A. It was in the evening.</p> <p>10 Q. Was it a weekday or a weekend?</p> <p>11 A. It was a weekday.</p> <p>12 Q. And do you know approximately how</p> <p>13 many people attended the panel presentation?</p> <p>14 A. Probably in the neighborhood of,</p> <p>15 you know, 50 to maybe 75. It was what I would</p> <p>16 term as, you know, relatively well attended.</p> <p>17 Q. In addition to Mr. Green, anybody</p> <p>18 else on the panel? Because we're up to five</p> <p>19 people.</p> <p>20 A. Yes, there were other members, you</p> <p>21 know, on the panel. There was a doctor from, I</p> <p>22 believe it was the Summa emergency room. I</p> <p>23 don't recall his name. And I believe there was</p> <p>24 also another physician that worked primarily</p> <p>25 with pregnant females that were dealing with an</p>
<p style="text-align: right;">Page 315</p> <p>1 know, in Akron. I don't remember the -- the</p> <p>2 name of the church.</p> <p>3 Q. When was this event?</p> <p>4 A. Several months ago.</p> <p>5 Q. And if you referenced your</p> <p>6 calendar, you might be able to tell us exactly</p> <p>7 when it was?</p> <p>8 MS. LEYIMU: Object to the form of</p> <p>9 the question.</p> <p>10 A. If I recorded that on my calendar,</p> <p>11 then, yes, I would be able to determine that.</p> <p>12 Q. Who else was on the panel with you?</p> <p>13 A. Judge Oldham.</p> <p>14 Q. Just the two of you?</p> <p>15 A. I believe -- let me think about</p> <p>16 that -- there were two additional members that</p> <p>17 were -- that were a part of -- of that panel.</p> <p>18 One was Carmen Bivins, who is an Oriana House</p> <p>19 caseworker, and then the other member was Marie</p> <p>20 Burger, who is our recovery coach.</p> <p>21 Q. Were there any handouts made</p> <p>22 available to the individuals who attended that</p> <p>23 presentation?</p> <p>24 A. I don't recall there being handouts</p> <p>25 a party to that.</p>	<p style="text-align: right;">Page 317</p> <p>1 opiate addiction.</p> <p>2 Q. Do you know if anybody recorded the</p> <p>3 presentation that evening?</p> <p>4 A. I don't recall whether that was</p> <p>5 recorded or not.</p> <p>6 Q. Have you attended any other</p> <p>7 presentations on issues related to this</p> <p>8 litigation in this calendar year that you can</p> <p>9 recall?</p> <p>10 MS. LEYIMU: Objection to form.</p> <p>11 Object to the form. Sorry.</p> <p>12 A. No. I believe that's the only</p> <p>13 specific community event that -- that I</p> <p>14 participated in, was invited to.</p> <p>15 Q. Have you sent any other members of</p> <p>16 your staff to attend other presentations this</p> <p>17 calendar year in your place?</p> <p>18 A. No. I don't have a recollection</p> <p>19 of -- of requesting one of my staff attend</p> <p>20 specifically in my absence.</p> <p>21 Q. How about just attending in</p> <p>22 general, whether it was in your absence or not?</p> <p>23 A. Well, we have staff attend training</p> <p>24 workshops all the time.</p> <p>25 Q. And do they share the information</p>

<p style="text-align: right;">Page 318</p> <p>1 that they receive at those workshops with other 2 people associated with the Akron Recovery 3 Court? 4 A. Depending upon the subject matter, 5 sometimes. 6 Q. And how is that done? Do you have 7 staff meetings where you share new information 8 that you've learned? 9 A. Correct. So, you know, probation 10 officer staff meetings are done, obviously, 11 whenever the chief, you know, schedules those, 12 at least once every few months. 13 And individuals that had been to 14 training during that time frame, the 15 expectation is that they at least speak about, 16 you know, what that training was. There's no 17 requirement of presenting documents or 18 PowerPoints, but at least sharing something 19 that hopefully they learn from that training. 20 Q. Are there agendas associated with 21 these meetings? 22 A. Sometimes. That's up to the chief. 23 He runs them. 24 Q. When you receive the agenda, do you 25 receive it in a hard copy form or by e-mail?</p>	<p style="text-align: right;">Page 320</p> <p>1 Q. And are those kept in a file in 2 your office? 3 A. They're in my office. 4 MS. LEYIMU: Is this a good 5 breaking point? Or if you don't have much 6 longer, then we can keep going. 7 MS. RENDON: I do not have much 8 longer. 9 MS. LEYIMU: Okay. Let's keep -- 10 MS. RENDON: I may not have 11 anything else. 12 MS. LEYIMU: Okay. Let's... 13 Q. Other than yourself and the judge, 14 who else within your department has knowledge 15 with respect to the number of clients who 16 you're seeing and what types of drugs they're 17 addicted to? 18 MS. LEYIMU: Object to the form of 19 the question. 20 A. I'm sorry. Could you repeat the 21 question, ma'am? 22 Q. Yeah. Probably not very well 23 stated. 24 So one of the things that we've 25 obviously been struggling with is trying to</p>
<p style="text-align: right;">Page 319</p> <p>1 A. My recollection is that typically, 2 you know, we would receive a hard copy at the 3 meeting itself. 4 Some- -- you know, I have a vague 5 rec- -- a vague recollection of occasionally 6 receiving an e-mail communication, you know, 7 where that agenda, you know, would be 8 available, but it seems more recently our 9 probation officer staff meetings have not had a 10 formal agenda. 11 Q. Did you present at a staff meeting 12 information that you learned from the OSU 13 training that you attended this summer? 14 A. I have a recollection of sharing, 15 you know, with the staff that I attended, you 16 know, that training. But I don't believe that, 17 you know, I presented them with any specific 18 information. 19 Q. Is your calendar an electronic 20 calendar or a hard-copy calendar? 21 A. It's a hard-copy calendar. 22 Q. Do you keep calendars from past 23 years, or do you throw them away at the end of 24 the calendar year? 25 A. I keep them.</p>	<p style="text-align: right;">Page 321</p> <p>1 figure out how we could determine exactly how 2 many of the clients who are in the Akron 3 Recovery Court currently or in the past are 4 addicted to heroin, let's say, for example. 5 And you have some limited knowledge. I know 6 the judge has some knowledge. 7 And my question is, who else within 8 the Akron Recovery Court would be able to help 9 us answer those questions? 10 MS. LEYIMU: I'll object to the 11 form. 12 A. I would say that as a general 13 whole, you know, myself; Mr. Krutko, who 14 occasionally, you know, conducts interviews, 15 you know, either in my absence or if I'm 16 dealing with another, you know, issue; 17 certainly Judge Oldham; and I believe our 18 caseworkers, you know, that are working with 19 these clients on a day-to-day basis, because 20 they're the ones that are meeting with them 21 again, two, three, sometimes four times a week, 22 you know, depending upon the issue. So they 23 get to know those clients extremely well. 24 Q. Last question. Where within your 25 office are the probation files physically kept?</p>



<p style="text-align: right;">Page 322</p> <p>1 A. They're physically kept -- if 2 they're active, then they're kept in -- in the 3 probation office, so my office. 4 So if you're active at the present 5 time in the Ak- -- in the Ak- -- in the Akron 6 Recovery Court program, they're kept, you know, 7 in a file cabinet, you know in my office. 8 If the case is closed, you know, 9 whether they completed the program, the case is 10 on warrant status, they graduated, then they're 11 kept in our file room that's also physically 12 located on the mezzanine level of the Akron 13 probation department. 14 Q. And how far back do those files go? 15 A. I believe, you know, our record 16 retention speaks to 10 years of a hard copy. 17 Q. And if I could just have one 18 moment. 19 MS. LEYIMU: Sure. 20 MS. RENDON: That's all I have for 21 you, so we can take a quick break while we 22 switch the microphone. 23 MS. LEYIMU: Sure. 24 THE WITNESS: Okay. 25 THE VIDEOGRAPHER: Going off the</p>	<p style="text-align: right;">Page 324</p> <p>1 MS. FLOWERS: Excuse me. 2 Q. Have you seen this document before? 3 MR. HERMAN: Oh, you -- 4 MS. FLOWERS: Can we get a copy? 5 Thank you. 6 A. Yeah, just -- just now, you know, 7 reviewing it. So just give me a quick minute. 8 Q. Sure. Take your time. 9 A. Okay, sir. 10 Q. Okay. And -- all right. 11 Mr. Sturmi. What is this document? 12 A. It was an e-mail from Lisa 13 DiSabato-Moore, who at the time was the chair 14 of the criminal justice subcommittee of the 15 Opiate Task Force. So she had sent this e-mail 16 with the attached documents. 17 Q. And, Mr. Sturmi, this e-mail was 18 sent on September 5, 2014; is that correct? 19 A. That's correct. 20 Q. And were you a recipient of this 21 e-mail? 22 A. I believe I was. I'm just looking 23 for my name. 24 Q. Direct your attention to the fourth 25 line down in the two --</p>
<p style="text-align: right;">Page 323</p> <p>1 record at 6:06 p.m. 2 (A recess was taken.) 3 - - - - - 4 (Thereupon, Deposition Exhibit 23, 5 9/5/2014 E-Mail from Lisa V. 6 DiSabato-Moore Re: Handouts for 7 Friday's Meeting, With Attachment, 8 SUMMIT_000027031 to 000027041, was 9 marked for purposes of 10 identification.) 11 - - - - - 12 THE VIDEOGRAPHER: Back on the 13 record at 6:21 p.m. 14 EXAMINATION OF JEFFREY STURMI 15 BY MR. HERMAN: 16 Q. All right. Mr. Sturmi, again my 17 name is Steve Herman. I introduced myself at 18 the beginning of the deposition -- 19 A. Yes, sir. 20 Q. -- but it's been a little bit. 21 Again, I represent CVS Indiana LLC and CVS Rx 22 Services. And I just have a few more questions 23 for you. 24 The court reporter has just handed 25 you Exhibit 23.</p>	<p style="text-align: right;">Page 325</p> <p>1 A. Yes, I see it. Yes. 2 Q. Okay. And do you recall receiving 3 this information? 4 A. I do. I have a recollection of 5 that. 6 Q. And I believe this information 7 relates to information received at the Summit 8 County Opiate Task Force Criminal Justice 9 Subcommittee meeting; is that correct? 10 A. That's correct. 11 Q. And I think you testified earlier 12 you were a member of that subcommittee? 13 A. Correct. 14 Q. All right. And I'd like to direct 15 your attention to the agenda on the second 16 page, Bates number ending in 7032. 17 A. Okay. 18 Q. And do you see the long-term goal 19 listed on that page? 20 A. Yes. 21 Q. What is the long-term goal listed 22 on this agenda of the Opioid Task Force 23 Criminal Subcommittee -- Criminal Justice 24 Subcommittee? 25 A. It -- it was reported as enhanced</p>

<p style="text-align: right;">Page 326</p> <p>1 legal consequences for traffickers.  2 Q. Okay. And do you understand  3 traffickers to refer to drug traffickers?  4 A. Correct.  5 Q. And drug traffickers are  6 individuals who usually engage in illegal  7 conduct?  8 MS. LEYIMU: Object to the form.  9 A. Yes.  10 Q. Okay. Well, what is your  11 definition of a drug trafficker?  12 A. Well, it's an individual that  13 engages in the sale or trafficking of drugs.  14 Q. Okay. And do you recall why the  15 long-term goal of the criminal justice  16 subcommittee was enhanced legal consequences  17 for traffickers?  18 A. My recollection, you know -- and  19 this was one of the very first meetings, you  20 know, of the committee, but the makeup of the  21 committee initially was a lot of law  22 enforcement and a representative from the  23 attorney general's office.  24 So they collectively voiced their  25 frustration, you know, in the current Ohio</p>	<p style="text-align: right;">Page 328</p> <p>1 Q. What do you understand this page of  2 information that was provided to you to show?  3 A. It's, you know, data that speaks to  4 OARRS report that relays dosages of medications  5 that are prescribed.  6 Q. Okay. And are the dosages of the  7 medication prescribed that it's showing opiates  8 and pain relievers?  9 A. That's what it indicates, yes, sir.  10 Q. And do you recall earlier today you  11 testified that in 2014, you saw data that, for  12 you, sounded the alarm about the opioid issue  13 in Summit County as part of your work with the  14 task force?  15 MS. LEYIMU: Object to the form.  16 A. Could you repeat the question, sir?  17 Q. Yeah, sure.  18 Do you recall earlier today that  19 you testified that in 2014 you saw data that  20 sounded the alarm for you as part of your work  21 with the Opiate Task Force?  22 MS. LEYIMU: Object to the form.  23 A. Yeah. My recollection was that as  24 part of some of the initial Summit County  25 Opiate Task Force meetings that I attended,</p>
<p style="text-align: right;">Page 327</p> <p>1 penalties for trafficking. They felt that they  2 could be stronger.  3 Q. And did they -- do you recall them  4 expressing that the penalties need to be  5 stronger because drug traffickers were  6 contributing to the opioid problem in Summit  7 County?  8 MS. LEYIMU: Object to the form.  9 A. I believe that -- you know, again  10 it was a long time ago, but I think that was,  11 you know, part of -- of, yes, their -- their  12 opinion at that time.  13 Q. Okay. Has it been your experience  14 that drug traffickers contribute to the opiate  15 problem in Summit County?  16 A. I would say that any individual  17 that's engaged in drug trafficking contributes,  18 you know, to the opiate issue that we're having  19 in Summit County, so, yes.  20 Q. And I'd like to direct your  21 attention to the second page, 7033. And do you  22 understand what this page shows?  23 A. Let me take just a minute to review  24 it.  25 Okay.</p>	<p style="text-align: right;">Page 329</p> <p>1 there was a multitude of information,  2 presenters, and some data that indicated that  3 there was issues, you know, going on with the  4 use of opiates in Summit County, sir.  5 Q. And did this data about the  6 dosages, some of that information that  7 indicated to you that there was an issue going  8 on with opioids in Summit County?  9 A. I don't recall reviewing this  10 particular document, you know, at that time.  11 I mean, you know, obviously when  12 you go to any one of these meetings, you get a  13 packet of information, and this is, you know,  14 roughly four years ago.  15 Q. All right. You can set that aside.  16 And we were just looking at data  17 pulled from the OARRS system, correct?  18 A. That's correct. That's what --  19 Q. Okay.  20 A. -- Ms. DiSabato-Moore indicated.  21 Q. And does the Akron -- I believe you  22 testified earlier that the Akron Drug Court has  23 access to the OARRS system as well.  24 A. I did not indicate that earlier.  25 Q. Does --</p>

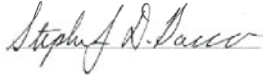
<p style="text-align: right;">Page 330</p> <p>1 A. That's not -- that's not my 2 recollection. 3 Q. The Akron Drug Court doesn't have 4 access to the OARRS system? 5 A. Not at -- not at the present time. 6 There are individuals, specifically the Akron 7 Police Department, that have access to OARRS. 8 But that's not something that we have, you 9 know, started or implemented. 10 Q. Can I direct your attention to 11 Exhibit 1. And do you have Exhibit 1 in front 12 of you, Mr. Sturmi? 13 A. We'll find it. 14 MS. LEYIMU: Big stack. 15 A. I have it. 16 Q. Okay. And can I direct your 17 attention to the page ending in Bates No. 5283? 18 And specifically the last paragraph on that 19 page. 20 A. I do see it, yes. 21 Q. And do you see the last sentence on 22 that -- well, let me -- again, Exhibit 1 is the 23 Akron Municipal recovery court policy and 24 procedure manual. That's one of the 25 attachments?</p>	<p style="text-align: right;">Page 332</p> <p>1 our team, you know, are not -- are not part of 2 the OARRS system. 3 Q. Have -- have you requested access 4 to the OARRS system? 5 A. We've talked about it. You know, 6 we have not implemented it. You know, 7 primarily because, you know, we didn't feel 8 that there was a specific need with the fact 9 that we're to be able to obtain that data 10 through the Akron Police Department's 11 investigative, you know, narcotics and 12 detective unit. 13 Q. Okay. And if you do make a request 14 to access that information for a client, would 15 that be recorded anywhere? 16 A. I don't -- I don't recall there 17 being a specific, any type of form, no. 18 Q. Would -- so how do you get the 19 information when you request that a report be 20 run for a client? 21 A. It would be a verbal request, you 22 know, to, you know, a detective. 23 Q. Okay. So you make a verbal request 24 and the detective runs the OARRS report? 25 A. That is, you know, that process,</p>
<p style="text-align: right;">Page 331</p> <p>1 A. Correct. 2 Q. And we're -- that's what we're 3 looking at right now? 4 A. Yes. 5 Q. And do you see the last sentence 6 where it says, "If necessary, court personnel 7 will utilize the Ohio Automated Rx Reporting 8 System, OARRS, report to track participants' 9 prescription medication and identify any areas 10 of concern, such as drug-seeking behaviors"? 11 A. I do see that, yes. 12 Q. And so does the Akron Drug Court 13 have the ability to utilize the OARRS system? 14 A. We do. 15 Q. Okay. So your testimony a second 16 ago, you just weren't recalling this, that you 17 can access OARRS? 18 A. Well, to clarify, I'm not 19 personally on the OARRS reporting system. 20 Q. Okay. 21 A. Okay? Detective Nida from the SNUD 22 unit is, so he will routinely, you know, run 23 OARRS reports at the court's request, if we 24 have concerns, you know, about that. But 25 myself or members of our -- other members of</p>	<p style="text-align: right;">Page 333</p> <p>1 but we -- we utilize that system rarely. 2 Q. Okay. And in the rare 3 circumstances where you do utilize that system, 4 once a detective has run the report, do they 5 provide the report to you? 6 A. No. They're not -- they don't 7 provide me with any type of copy of the OARRS 8 report. 9 Q. So how do you get the information 10 that the detective receives off the report? 11 A. Verbally. 12 Q. Okay. And that file -- that sheet, 13 I take it, doesn't become part of the 14 probation -- the client's file? 15 A. That's correct, sir. 16 Q. Why don't you run an OARRS report 17 for every client? 18 MS. LEYIMU: Object to the form. 19 A. You know, the only thing that I can 20 say in reference to that is, historically, 21 that's not something that our -- that our court 22 has ever done. We have had some discussion, 23 you know, about that. Part of the issue was 24 because I'm not a police officer or detective, 25 you know, that wasn't permitted.</p>

<p style="text-align: right;">Page 334</p> <p>1 Now, that has changed. The Ohio 2 Supreme Court, through the specialized docket 3 section, has made drug courts at -- at the 4 request of the presiding drug court judge, he 5 has to make that request, that, you know, we 6 could start, you know, running those reports. 7 As a team, you know, we need to 8 discuss that, you know, further, because I do 9 see that as an enhancement, you know, to the 10 program. 11 Q. And do you know when the Ohio 12 Supreme Court made that change? 13 A. It -- relatively recently. You 14 know, I remember being at -- they have a 15 specialized docket training every year. 16 Typically, that's in November. And so I did 17 not attend the specialized docket training this 18 past year. I did attend the year prior, and I 19 have a recollection of that being a subject 20 matter. So that would have been roughly 21 November of 2017. 22 Q. Okay. So your best recollection is 23 the supreme court made that change sometime in 24 2017? 25 A. That's correct, sir, yeah.</p>	<p style="text-align: right;">Page 336</p> <p>1 know, to have further problems, especially as 2 it relates to opiates. 3 Q. Do you recall a moment ago being -- 4 not -- maybe not a moment ago, but a little 5 while ago being asked about trauma? There was 6 an e-mail with statistics about trauma? You 7 said trauma is very difficult to determine. Do 8 you recall that testimony? 9 A. I do, yes. 10 Q. Okay. Do you recall an article in 11 July -- on July 12, 2017 called "Summit County 12 Drug Courts are Boosting Services"? 13 A. I'd have to see it. 14 MR. HERMAN: Okay. Why don't we 15 mark this as Exhibit 24. 16 - - - - - 17 (Thereupon, Deposition Exhibit 24, 18 7/12/2017 MyTownNEO Article Titled 19 "Summit County Drug Courts are 20 Boosting Services", was marked for 21 purposes of identification.) 22 - - - - - 23 Q. And I'd just direct your attention 24 to the third page. Feel free to look at the 25 whole article, obviously.</p>
<p style="text-align: right;">Page 335</p> <p>1 Q. Okay. And I think you said you 2 would see the ability to access the OARRS 3 system as an enhancement. Why would it be an 4 enhancement? 5 A. Well, I think that any data, any -- 6 any ability for us, if -- if we have concerns 7 that, you know, a client may be engaged, you 8 know, in doctor-shopping or trying to obtain 9 prescription medications in an improper, you 10 know, manner, having that information certainly 11 could be beneficial. 12 Q. And what about knowing whether 13 they'd had prescription medicine via legitimate 14 prescription in the past? 15 MS. LEYIMU: Object to the form of 16 the question. 17 A. Do I think that would be helpful? 18 Q. Yes. 19 A. Again, I welcome any -- any 20 information that helps glean a client's use of 21 medications that may have, you know, led to 22 further issues that they're having. So I view 23 the -- you know, one's prescription drug use, 24 certainly, as helpful in determining whether or 25 not that client may be at a higher risk, you</p>	<p style="text-align: right;">Page 337</p> <p>1 A. Yeah, just getting a baseline. 2 Okay. Yeah, I have a recollection 3 of this. Okay. 4 Q. Okay. And do you recall that you 5 were quoted in this article? 6 A. A vague recollection, you know, of 7 that, yes. 8 Q. Well, you see that there's some 9 quotes attributed to you? 10 A. I do see that -- 11 Q. Okay. 12 A. -- at the top of page 3, sir. 13 Q. And the third paragraph, which is a 14 quote attributed to you says, quote, "What we 15 have found over the years is most of our 16 clients who have drug dependency and drug 17 addiction issues, when we start peeling back 18 the onion, so to speak, we find that they have 19 pretty significant trauma in their lives, 20 whether that's physical abuse, verbal abuse, or 21 lots of times sexual abuse. We do a really 22 good job providing drug treatment services for 23 our clients, but we didn't do as good a job for 24 our clients mentally," close -- close quotes. 25 Do you recall providing that quote?</p>

<p style="text-align: right;">Page 338</p> <p>1 A. I do.</p> <p>2 MR. HERMAN: No further questions.</p> <p>3 I'm going to pass the witness, I guess.</p> <p>4 MS. LEYIMU: We'll consult for a</p> <p>5 minute and then let you know.</p> <p>6 Let's go off the record for a</p> <p>7 second.</p> <p>8 THE VIDEOGRAPHER: Off the record</p> <p>9 at 6:38 p.m.</p> <p>10 (Off-the-record discussion.)</p> <p>11 THE VIDEOGRAPHER: Back on the</p> <p>12 record at 6:38 p.m.</p> <p>13 MS. LEYIMU: We have no further</p> <p>14 questions for this witness.</p> <p>15 MR. HERMAN: Just one last thing to</p> <p>16 put on the record.</p> <p>17 We're going to be following up with</p> <p>18 a request for documents, and we reserve the</p> <p>19 right to hold the deposition open and recall</p> <p>20 the witness, if necessary.</p> <p>21 MS. FLOWERS: We don't agree to</p> <p>22 hold the deposition open. We've produced over</p> <p>23 300,000 pages for this witness alone, so the</p> <p>24 deposition is adjourned.</p> <p>25 Thank you, Mr. Sturmi.</p>	<p style="text-align: right;">Page 340</p> <p>1 Whereupon, counsel was requested to give</p> <p>2 instructions regarding the witness's review of</p> <p>3 the transcript pursuant to the Civil Rules.</p> <p>4</p> <p>5 SIGNATURE:</p> <p>6 Transcript review was requested pursuant to the</p> <p>7 applicable Rules of Civil Procedure.</p> <p>8</p> <p>9 TRANSCRIPT DELIVERY:</p> <p>10 Counsel was requested to give instructions</p> <p>11 regarding delivery date of transcript.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 339</p> <p>1 MS. RENDON: And for the record,</p> <p>2 the Manufacturers share in that position with</p> <p>3 respect to the documents, and we'll follow up</p> <p>4 in writing as we have been in the course of the</p> <p>5 depositions and indicate to which documents we</p> <p>6 think we are missing. And I think we have from</p> <p>7 the witness where some of those are located,</p> <p>8 and then we can try to move forward with that.</p> <p>9 MS. FLOWERS: Plaintiffs' position</p> <p>10 is that all responsive documents have been</p> <p>11 produced.</p> <p>12 MS. RENDON: I hear you. And we'll</p> <p>13 get it to you in writing what we think we're</p> <p>14 missing.</p> <p>15 MS. FLOWERS: Thank you, sir.</p> <p>16 THE WITNESS: Thank you.</p> <p>17 MR. HERMAN: Thank you.</p> <p>18 THE VIDEOGRAPHER: Off the record</p> <p>19 at 6:39 p.m.</p> <p>20 (Deposition concluded at 6:39 p.m.)</p> <p>21 ~ ~ ~ ~ ~</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 341</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2 The State of Ohio, )</p> <p>3 SS:</p> <p>4 County of Cuyahoga. )</p> <p>5</p> <p>6 I, Stephen J. DeBacco, a Notary</p> <p>7 Public within and for the State of Ohio, duly</p> <p>8 commissioned and qualified, do hereby certify</p> <p>9 that the within named witness, JEFFREY STURMI,</p> <p>10 was by me first duly sworn to testify the</p> <p>11 truth, the whole truth and nothing but the</p> <p>12 truth in the cause aforesaid; that the</p> <p>13 testimony then given by the above-referenced</p> <p>14 witness was by me reduced to stenotypy in the</p> <p>15 presence of said witness; afterwards</p> <p>16 transcribed, and that the foregoing is a true</p> <p>17 and correct transcription of the testimony so</p> <p>18 given by the above-referenced witness.</p> <p>19 I do further certify that this</p> <p>20 deposition was taken at the time and place in</p> <p>21 the foregoing caption specified and was</p> <p>22 completed without adjournment.</p> <p>23</p> <p>24</p> <p>25</p>



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1 I do further certify that I am not  
 2 a relative, counsel or attorney for either  
 3 party, or otherwise interested in the event of  
 4 this action.  
 5 IN WITNESS WHEREOF, I have hereunto  
 6 set my hand and affixed my seal of office at  
 7 Cleveland, Ohio, on this 20th day of  
 8 November, 2018.  
 9  
 10  
 11  
 12   
 13  
 14 Stephen J. DeBacco, Notary Public  
 15 within and for the State of Ohio  
 16  
 17 My commission expires September 30, 2022.  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

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1 Veritext Legal Solutions  
 2 1100 Superior Ave  
 3 Suite 1820  
 4 Cleveland, Ohio 44114  
 5 Phone: 216-523-1313  
 6  
 7 November 20, 2018  
 8  
 9 To: Temitope O. Leyimu, Esq.  
 10  
 11 Case Name: In Re: National Prescription Opiate Litigation v.  
 12 Veritext Reference Number: 3104515  
 13  
 14 Witness: Jeffrey Sturmi Deposition Date: 11/15/2018  
 15  
 16 Dear Sir/Madam:  
 17  
 18 Enclosed please find a deposition transcript. Please have the witness  
 19 review the transcript and note any changes or corrections on the  
 20 included errata sheet, indicating the page, line number, change, and  
 21 the reason for the change. Have the witness' signature notarized and  
 22 forward the completed page(s) back to us at the Production address  
 23 shown  
 24 above, or email to production-midwest@veritext.com.  
 25  
 26 If the errata is not returned within thirty days of your receipt of  
 27 this letter, the reading and signing will be deemed waived.  
 28  
 29 Sincerely,  
 30 Production Department  
 31  
 32 NO NOTARY REQUIRED IN CA

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1 DEPOSITION REVIEW  
 2 CERTIFICATION OF WITNESS  
 3  
 4 ASSIGNMENT REFERENCE NO: 3104515  
 5 CASE NAME: In Re: National Prescription Opiate Litigation  
 6 DATE OF DEPOSITION: 11/15/2018  
 7 WITNESS' NAME: Jeffrey Sturmi  
 8 In accordance with the Rules of Civil  
 9 Procedure, I have read the entire transcript of  
 10 my testimony or it has been read to me.  
 11 I have made no changes to the testimony  
 12 as transcribed by the court reporter.  
 13  
 14 Date Jeffrey Sturmi  
 15 Sworn to and subscribed before me, a  
 16 Notary Public in and for the State and County,  
 17 the referenced witness did personally appear  
 18 and acknowledge that:  
 19  
 20 They have read the transcript;  
 21 They signed the foregoing Sworn  
 22 Statement; and  
 23 Their execution of this Statement is of  
 24 their free act and deed.  
 25  
 26 I have affixed my name and official seal  
 27 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 28  
 29 Notary Public  
 30  
 31 Commission Expiration Date  
 32  
 33  
 34  
 35

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1 DEPOSITION REVIEW  
 2 CERTIFICATION OF WITNESS  
 3  
 4 ASSIGNMENT REFERENCE NO: 3104515  
 5 CASE NAME: In Re: National Prescription Opiate Litigation  
 6 DATE OF DEPOSITION: 11/15/2018  
 7 WITNESS' NAME: Jeffrey Sturmi  
 8 In accordance with the Rules of Civil  
 9 Procedure, I have read the entire transcript of  
 10 my testimony or it has been read to me.  
 11 I have listed my changes on the attached  
 12 Errata Sheet, listing page and line numbers as  
 13 well as the reason(s) for the change(s).  
 14 I request that these changes be entered  
 15 as part of the record of my testimony.  
 16  
 17 I have executed the Errata Sheet, as well  
 18 as this Certificate, and request and authorize  
 19 that both be appended to the transcript of my  
 20 testimony and be incorporated therein.  
 21  
 22 Date Jeffrey Sturmi  
 23 Sworn to and subscribed before me, a  
 24 Notary Public in and for the State and County,  
 25 the referenced witness did personally appear  
 26 and acknowledge that:  
 27  
 28 They have read the transcript;  
 29 They have listed all of their corrections  
 30 in the appended Errata Sheet;  
 31 They signed the foregoing Sworn  
 32 Statement; and  
 33 Their execution of this Statement is of  
 34 their free act and deed.  
 35  
 36 I have affixed my name and official seal  
 37 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 38  
 39 Notary Public  
 40  
 41 Commission Expiration Date  
 42  
 43  
 44  
 45

<p style="text-align: right;">Page 346</p> <p>1           ERRATA SHEET 2           VERITEXT LEGAL SOLUTIONS MIDWEST 3           ASSIGNMENT NO: 11/15/2018 4 PAGE/LINE(S) /    CHANGE    /REASON 5 _____ 6 _____ 7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 _____ 17 _____ 18 _____ 19 _____  20 Date           Jeffrey Sturmi 21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ 22 DAY OF _____, 20_____. 23 _____ 24           Notary Public  25           _____              Commission Expiration Date</p>	

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2016. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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